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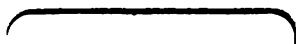
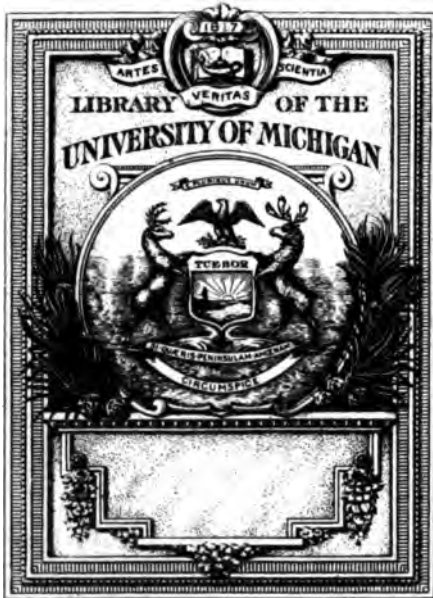
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V O L. I.

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L O N D O N:  
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T H E

## P R E F A C E.

**I**T is always happy when private amusement can be made subservient to general convenience. Having enjoyed a pleasure in collecting the Treaties between Great Britain and other nations, in adjusting their dates, and in comparing their provisions, I presumed to think that, were I to publish the result of my enquiries, statesmen, whose duty leads them to consult national conventions, might find an utility where I had discovered the gratifications of research and acquisition.

Without the correspondence of Du Mont, the learning of Barbeyrac, or the zeal of Rouffet, it had been easy to print a voluminous collection of treaties. My object, however, was not to make a big book, but an useful book; a commodious selection, which might lie handily on the table, and be readily inspected. With this design, I have printed, in the following sheets, those treaties which are most frequently perused: I have referred to those treaties which are often consulted.

The collections of national conventions, which were published at successive periods, and in different countries, have not been always conveniently arranged, or accurately printed, at the same time that they were universally allowed to be useful. They generally followed, indeed, a chronological order. But, from the

vast mass of discordant matter, it was often a difficult task to collect the treaties which belonged to any particular nation, or to adjust the stipulations which related to any specified subject.

In the following collection, I have preserved a chronological order, while I have brought together the treaties which at various times have been formed with each different nation. Without any strong motive of choice, I began with Russia, in the north; I regularly proceeded to the south of Europe; I diverged afterwards to Africa and Asia; and ended finally in America. I flatter myself this arrangement will be found commodious. To the treaties, which belong to each particular country, and which form a distinct head, I have prefixed a chronological index of prior treaties, for the purpose of tracing a principle of connexion, and shewing where those preceding conventions may be found. The usefulness of this prefatory index will be acknowledged by those, who having been engaged in much study, or in much business, have felt the happiness of knowing where to lay one's hand on the thing that the pressure of the moment required. But, the brevity which I prescribed to myself, did not allow me to swell this prefatory index with the mention of every agreement, either for the hire of troops, or the performance of temporary stipulations. I was directed by my notions of utility, either in publishing some treaties, or in not mentioning others. The public, whose convenience I have endeavoured to promote, and to whose opinion I respectfully submit, will ultimately determine whether, in making this selection, I have been directed by judgment, or by caprice.

The first treaty which was ever published in this nation, by *authority*, was the treaty with Spain, in 1604, which was conducted by Sir Robert Cecil, the first Lord Salisbury, with such wonderful talents and address. No treaty was printed, *without authority*, during any preceding period. It had been extremely dangerous for private

## THE PREFACE.

vate persons, in the reign of King James, in the former, or in the subsequent reign, to have published treaties with foreign Powers; because to have done this had been considered as meddling with matters of state, and punished as an infringement of prerogative. The treaties of Charles I. were published by authority. Cromwell made many treaties, because he was anxious, like John IV. of Portugal, to procure the recognition of other Powers: but, I doubt, whether he lived to publish them. The reign of Charles II. was fruitful in treaties, which were printed by authority, often singly, and sometimes collectively. The four treaties of Breda were published by the King's special command \*, in 1667. A collection, comprehending seventeen treaties, beginning with the Commercial Treaty with Spain, in 1667, and ending with the Algerine treaty in 1682, was printed by direction of Lord Sunderland, the secretary of state, in March 1684 †. Such had been the smallness of this impression, or such the demand for it, that this useful code was reprinted in 1686. The salutary practice of publishing by authority what was so necessary to be known, which had been begun by King James, was continued by King William, and by his royal successors.

It was however in King William's councils, that it was first determined to print authoritatively the PUBLIC CONVENTIONS of Great Britain with other Powers ‡. It was owing to that determination, that the reign of Queen Anne saw the publication of RYMER'S FOEDERA.

\* By the assigns of J. Bill and C. Barker, the King's printers, 4to, 80 pages.

† By the assigns of J. Bill, and H. Hills, and T. Newcomb, the King's printers. London, 1685, 4to, 269 pages.

‡ The warrant, empowering Thomas Rymer to search the public repositories for this great design, was dated on the 26th of August 1693. This warrant was renewed on the 3d of May 1707, when Robert Sanderfon was appointed his assistant. And, on the 15th of February 1717, Sanderfon was continued the single conductor of this laborious undertaking.

The first volume, commencing with the documents of the year 1201, was published in 1704; the twentieth volume, ending with the papers of 1654, was given to the world in 1735.

As historiographer these were not the only labours of Rymer: he left an unpublished collection, relating to the government and history of England, from the year 1115 to 1698, in fifty-eight volumes\*, which the prudence of the house of peers directed to be placed in *The British Museum*, with the Cottonian manuscripts. Of men who have done great public services, we naturally wish to know something of the origin and the end. Thomas Rymer was born in the north of England; was educated at Cambridge; and, intending to make the law his profession, he entered himself a student of Gray's Inn. He first appeared as a poet and a critic in 1678; when he published *Edgar*, an heroic tragedy, which had scarcely preserved his name; and *Reflections on Shakspeare*, in 1693, which have drawn on him Warburton's indignation. On the decease of Shadwell, the great *Mac Flecnœ* of Dryden, in 1692, who, at once, celebrated King William's birth, as *Laureat*, and recorded King William's actions, as historiographer, the laurel was placed on the brow of Tate, and the pen of historian was delivered into the hand of Rymer. While collecting THE FOEDERA, he also employed himself, like a royal historiographer, in detecting the *falsehood* and ascertaining the *truth* of history †. He lived to publish  
fifteen

\* There is a list of this great collection in the seventeenth volume of the *Fœdera*: and see Aylcough's Catalogue of the Museum MSS. vol. i. N<sup>o</sup> 4573—4630.

† He published, in 1702, his first letter to Bishop Nicholson: "Wherein, as he says, King Robert III. of Scotland is, beyond all dispute, freed from the imputation of bastardy." He soon after published his second letter to Bishop Nicholson; "containing an historical deduction of the alliances between France and Scotland: whereby the pretended old league with Charlemagne is disproved, and the true old league is ascertained." After his decease, there was published, in 1714, a small treatise "Of the Antiquity, Power,  
and

fifteen folio volumes of the *public conventions*; and from his collections Sanderfon published the sixteenth volume in 1715. Rymer finished his useful career in December, 1713, and was buried in the church of St. Clement's Danes. Yet, after all his labours, he is ofteneft remembered for his critical strictures on Shakespeare: for, fuch has been the fingular fortune of this illuftrious poet, that whoever has connected himfelf with his name, either as commentator, panegyriſt, or detractor, has been raifed up by the ſtrength of his pinions, and will be carried through the expanſe of time by the continuance of his flight.

Robert Sanderfon, who had thus been Rymer's coadjutor, continued *the Fœdera* after his death. The ſeventeenth volume, which is the moſt uſeful of the whole, becauſe it contains an INDEX of the *perſons*, of the *things*, and of the *places*, that this and the ſixteen preceding volumes comprehend, he publiſhed in the year 1717. The eighteenth volume, which was re-publiſhed with *the Caſtrations*, he publiſhed in 1726; the nineteenth in 1732, and the twentieth in 1735. Sanderfon, who was uſher of the court of Chancery, clerk of the chapel of the Rolls, and fellow of the Antiquary Society, died on the 25th of December, 1741.

A new edition of the firſt ſeventeen volumes was publiſhed in 1727, by George Holmes, with collations and amendments. Holmes was born at Skip-ton, in Yorkſhire; he became clerk to Peryt, the keeper of the records in *the Tower*, about the year 1695; he continued almoſt ſixty years the deputy-

and Decay of Parliaments." And in the ſame year,—“ Some Tranſlations from Greek, Latin, and Italian Poets, with other Verſes and Songs, never before printed. By Thomas Rymer, late Hiſtoriographer-royal.” Theſe tranſlations, verſes, and ſongs, not being ſufficient to make a volume in 12mo. were publiſhed with *Curious Amuſements*; by a Gentleman of Pembroke-hall in Cambridge.

keeper; and, on account of his knowledge and his industry, he was, by the recommendation of lord Halifax, who was then chairman of a committee of the House of Lords, appointed to methodize the records, on the death of Petyt, with a salary of £. 200 a year. This he enjoyed till his decease, in 1748, at the age of eighty-seven.—Such were the able and industrious men to whom we owe *the Fœdera*, a work which is at once infinitely useful, and highly honourable to the British nation.

The booksellers at *the Hague* published a third edition of *the Fœdera* in 1739, having contracted the twenty volumes into ten. In this edition the documents are translated into French, and printed in the opposite column; and some other papers of less usefulness are added. With De Bure, I am inclined to consider this edition as the best; because, with equal accuracy, it contains more matter in less space.—Thus much with regard to those collections of treaties, which were published by authority.

The reign of Queen Anne first saw a collection of treaties, which was published by private individuals, without authority. Two volumes appeared in 1710, which began with treaties of very early date, but of no validity, and comprehended documents rather historical than diplomatic. A third volume was added, in 1713, without greater regard to selection, arrangement, or precision. And when these treaties were republished by the London booksellers, in 1732, a fourth volume was added, containing such additional documents as recent events had produced. In 1772, two small volumes of treaties were published, beginning with the *grand alliance*, of 1689, and ending with the declarations of 1771, which concluded our dispute with regard to Falkland Islands. A supplemental volume was added in 1781, comprehending public papers, from 1495 to 1734, some of greater and some of less value. These treaties were republished in  
.1785,

1785, arranged in chronological order, and expanded with additional matter; yet, comprehending something that is useless amongst much that is good. During that active period, from the Revolution, in 1688, to recent times, our several treaties were singly published, as they were made, with commentaries, which sometimes explained, but oftener obscured them, though the pens of our profoundest scholars were employed, with bishop Hare at their head.

How early foreign nations began to publish their treaties, I am unable to tell. *The articles of the twelve years truce*, between Spain and the United Netherlands\*, which were concluded in April, 1609, were immediately printed by authority. The momentous treaties of the subsequent age were successively published, as they were produced by various events. But the first collection of public conventions, which comprehended the interests of the European nations, was published at Hanover, in 1693, by the illustrious Leibnitz, in two folio volumes, under the title of *Codex juris gentium diplomaticus*. Leibnitz, who was born at Leipzig, in 1646, raised himself by his genius and his labours to eminence among the high, and died in 1716, at the age of seventy.

During a busy age of frequent negotiation, the public curiosity demanded fresh gratification. In 1700, four folio volumes of *National Agreements* were published, under the inspection of James Bernard, who was born in Dauphiné; and, retiring into Switzerland and Holland, after the revocation of the edict of Nantz, became professor of philosophy at Leyden, and died in 1718. Thus, in the ardour of the public, and the interests of the booksellers, was laid the foundation of the CORPS UNIVERSEL DIPLOMATIQUE DU DROIT

\* That famous truce was printed at Brussels, by Rutger Velpius, the printer to the court, in 1609, quarto. I have this tract in my collection.



DES GENS. The labours of Bernard were expanded and improved by the cares of Du Mont. This vast collection appeared in 1726. Du Mont was also a French refugee, who, after serving in the armies of France, retired to Holland, and became historiographer to the Emperor: after various publications, he died in 1726, having acquired the rank of *Baron*. The booksellers at Amsterdam, willing to gratify the public taste, and to promote their own gains, found other workmen, when they determined to furnish a SUPPLEMENT to the CORPS DIPLOMATIQUE. The celebrated Barbeyrac gave them, in 1739, a large volume, comprehending *the ancient Treaties*, from the Amphictyonic times to the age of Charlemagne, which he had extracted from the authors of Greece and Rome, and from the monuments of antiquity. This is a work of vast and curious erudition. The performances of Bernard and Du Mont were only the labours of the hand: the volume of Barbeyrac was the elaborate production of the head. John Barbeyrac, who must not be confounded with his uncle Charles Barbeyrac, was born at Beziers, became professor of law first at Lausanne, and afterwards at Groningen, and finished his useful course, in 1747. The booksellers had skilfully resolved to divide their intended publication into three parts: the first was the historical and chronological collection of Barbeyrac, which has been already mentioned, and which was designed as an introduction to the diplomatic code; the second was properly *the Supplement*, being an extension and continuance of the voluminous works of Bernard and Du Mont; and the third part was to consist of *the ceremonial of the courts of Europe*. The performance of the two last parts was given to ROUSSET, the historiographer of the Prince of Orange, whose diligence and whose knowledge qualified him eminently for a task thus arduous and delicate.

A complete collection of General Treaties must consist of the following books: 1st. Leibnitz's Codex,  
in

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in 1693; 2dly, The Corps Diplomatique, with its Supplement, in 1739, consisting of twenty volumes in folio, to which is annexed a copious index of matters; 3dly, St. Priest's *Histoire de Traités de Paix du xvii<sup>e</sup> Siècle, depuis la Paix de Vervins jusqu'à celle de Nimègue*, 1725, 2 vol. in folio; and 4thly, of the *Negotiations Secrètes, touchant la Paix de Munster et d'Osnabrug*, 1725, 4 vol. in folio. These ample collections begin with the establishment of the AMPHICTYONS, 1496 years before the birth of Christ, being the most ancient treaty which is to be met with in the records of time; and end with the pacification of the troubles of Geneva, in May 1738.—Such, then, is the vast mass of papers which have originated from the restlessness, or the wisdom, of Europe; and which every one must possess, who is ambitious of extensive knowledge, with regard to the discordant interests of the European Powers.

To all these must be added, by those who are desirous to form a complete library, the collections, which have been published with regard to particular negotiations: as the peace of Nimeguen; the peace of Ryswick; the peace of Utrecht\*: and to these may be added the useful collection of *acts, negotiations, and treaties*, from 1713 till 1748, in five-and-twenty 8vo. volumes †. The conventions of nations have not only been published at large, but also in the abstract. Rouffet favoured the world, in 1736, with *Les Intérêts des Puissances de l'Europe, avec le Supplément*, 4 vols. 4to.—Rouffet ceased from his useful labours in August 1762. Mably's *Droit Public de*

\* *Actes et Mémoires concernant la Paix de Nimègue*, 1697, 4 tom. en 7 vol. in 12mo.—*Actes et Mémoires concernant la Paix de Ryswick*, 1705, 4 vol. in 12mo.—*Mémoires Politiques pour servir à l'Histoire de la Paix de Ryswick*, par Jean Du Mont, 1699, 4 vol. in 12mo.—*Actes, Mémoires, et autres Pièces authentiques, concernant la Paix d'Utrecht*, 1714, 7 vol. in 8vo.

† *Recueil des Actes, Negotiations, et Traités, depuis la paix d'Utrecht, jusqu'à présent*, par Jean Rouffet.

*l'Europe*, will be found a commodious manual, which is written with great knowledge, and arranged with uncommon skill. It has been continued to the peace of 1763, and enriched with the annotations of Rouffet, who was no favourable commentator. Mably and Rouffet parted with unkind sentiments of each other, though the bookfellers had endeavoured to make them agree.

But, of diplomatic researches, there must be an end. I have already exposed my ignorance to the eyes of those who have made the knowledge of the interests of Powers a profession, whilst I have only looked for entertainment amid other labours and other studies. If the following sheets shall be found an accommodation either to the public or to individuals, my design will be accomplished. I have one comfort, during the moment of publication, when I reflect, that if this collection do no great good, it can be attended with no other mischief than the addition of one more book to a class, which is already too numerous, or than the retardment of other works, on the same subject, which might be executed with better arrangement and greater accuracy.

Green Street,  
Grosvenor Square,  
23 October, 1790.

G. C.

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R U S S I A.

1555. **T**HERE are copies of the most early privileges granted by the sovereigns of Russia to the English merchants, in *Hackluyt's Voyages*, ed. 1598. vol. i. p. 265-372-378-470-507; and in *Purchas's Pilgrims*, vol. iii. p. 754-59-61.
1556. There are in the books of the Board of  
1628. Trade ten several grants of privileges by the sovereigns of Russia, to the English merchants, from December 1556 to June 1628.  
*Trade*, L. N° 100.
1623. Articles of perpetual league and alliance,  
16 June. intercourse, and commerce, between James, King of Great Britain, and Michael Pheodorowich, Emperor of Russia.  
*Rym. Fæd.* vol. xvii. p. 504.
1654. There are copies of the terms on which  
<sup>21</sup>/<sub>23</sub> Aug. the English merchants were allowed to re-commence trade in Russia.  
*Tburk. St. Pap.* vol. ii. p. 558-62.



1734. A treaty of friendship, commerce, and  
2d Dec. navigation, between George II. King of  
Great Britain, &c. and the Empress Anne,  
of Russia, &c.

*Pap. Off. L. 2.—Board of Trade, B. b.*  
16.—*Rouffet's Sup. to the Corps Dip-*  
*lom. tom. ii. p. 495.*

1741. The treaty concluded between Great Bri-  
3d April. tain and Russia, at Petersburg, with the  
separate and secret articles. *Pap. Off. L. 3.*

1742. The treaty concluded between Great Bri-  
11 Dec. tain and Russia, at Moscow, with the sepa-  
rate and secret articles. *Pap. Off. L. 4.*

1755. The treaty concluded between Great Bri-  
7th Sept. tain and Russia, at Petersburg, with the  
separate and secret articles.

*Pap. Off. L. 16.—Treat. 1772. vol. ii.*  
p. 137.—*Treat. 1785. vol. iii. p. 30.*

1766. A treaty of commerce and navigation be-  
20 June. tween Great Britain and Russia, concluded  
at Petersburg.

*Treat. 1772, vol. ii. p. 309-318.—*  
*Treat. 1785, vol. iii. p. 215-24.*

[The following Treaty of Commerce and Naviga-  
tion between Great Britain and Russia, 1766, is printed  
from the Treaties 1785, collated with an authentic  
copy, and corrected.]

#### Article I.

THE peace, friendship, and good understanding,  
which have hitherto happily subsisted between their  
Majesties of Great Britain and of all the Russias shall  
be ratified and confirmed by this treaty; so that from  
this time forward, and in all time coming, there shall  
be,

be, between the Crown of Great Britain on the one hand, and the Crown of all the Russias on the other; as also between the states, countries, kingdoms, dominions, and territories, that are subject to them, a true, sincere, firm, and perfect peace, friendship, and good understanding, which shall last for ever, and shall be inviolably observed, as well by sea as by land, and on the fresh waters; and the subjects, people, and inhabitants on the one part and on the other, of what state or condition soever they be, shall perform to each other all acts of kindness and assistance possible, and shall not do one another any hurt or injury whatever.

II. The subjects of the two high contracting powers shall have full liberty of navigation and commerce in all the states situated in Europe, where navigation and commerce are permitted at present, or shall be permitted hereafter by the high contracting parties, to any other nation.

III. It is agreed, that the subjects of the two high contracting parties shall have leave to enter, trade, and remain with their ships, boats, and carriages, loaded or unloaded, in all the ports, places, and towns, where such leave is granted to the subjects of any other nation; and the sailors, passengers, and ships, as well British as Russian (though there should be among their crews subjects of some other foreign nation) shall be received and treated as the most favoured nation; and neither the sailors nor passengers shall be forced to enter, against their will, into the service of either of the two contracting powers, excepting, however, such of their subjects as they may want for their own proper service; and if a domestic or sailor desert his service on his ship, he shall be restored. It is likewise agreed, that the subjects of the high contracting parties shall have leave to purchase, at the current price, all sorts of commodities of which they may stand in need; to repair and refit their ships, boats, and carriages; to purchase all kinds of provisions for their present sub-

assistance of their voyage; and to remain or depart at their pleasure, without lett or impediment, provided they conform to the laws and ordinances of the respective states of the high contracting parties where they may happen to be. In like manner the Russian ships that are navigating the sea, and are met by English ships, shall not be impeded in the course of their voyage, provided, in the British sea, they conform to the established practice; but, on the contrary, shall receive from them all kind of assistance, as well in the ports of the dominion of Great Britain as in the open sea.

IV. It is agreed, that the subjects of Great Britain shall be at liberty to bring, by water or by land, into all or into such provinces of Russia, where freedom of trade is permitted to the subjects of any other nation, all sorts of merchandise or effects, the traffic or entry of which is not prohibited: and in like manner the subjects of Russia shall be at liberty to bring, buy and sell freely, in all, or in such states of Great Britain where freedom of trade is permitted to the subjects of any other nation, all sorts of merchandise and effects, the traffic and entry of which is not prohibited; which is also to be equally understood of the manufactures and products of the Asiatic provinces, provided this is not actually forbid by some law at present in force in Great Britain; comprehending all sorts of merchandise effects, which the subjects of any other nation may buy there, and transport into other countries, particularly wrought and unwrought gold and silver, excepting the current coin of Great Britain; and, in order to preserve a just equality between the Russian and British merchants, with regard to the exportation of provisions and other commodities, it is farther stipulated, that the subjects of Russia shall pay the same duties on exportation, that are paid by the British merchants on exporting the same effects from the ports of Russia; but then each of the high contracting parties shall reserve to itself the liberty of making, in the interior parts of its dominions, such particular arrangements

ments as it shall find expedient for encouraging and extending its own navigation. The Russian merchants shall enjoy the same liberties and privileges as the British merchants of the Russian company enjoy; and, as the design of the two high contracting parties, and the intention of this treaty, is to facilitate the reciprocal commerce of their subjects, and to extend its limits and mutual advantages, it is agreed, that the British merchants trading in the dominions of Russia, shall have liberty, in case of death, a pressing exigency, or absolute necessity, when there are no other means of procuring money, or in case of bankruptcy, to dispose of their effects, whether of Russian or foreign merchandise, in such manner as the persons concerned shall find most advantageous. The same thing shall be observed with regard to the Russian merchants in the dominions of Great Britain. All which, however, is to be understood with this restriction, that every sort of permission, on the one side and on the other, specified in this article, shall not be in any thing contrary to the laws of the country; and the British, as well as the Russian merchants and their factors shall punctually conform to the rights, statutes, and ordinances of the country where they trade, in order to prevent all kind of fraud and imposition. 'Tis for this reason, that the decision of such events happening to the British computing-houses in Russia, shall be submitted, at Petersburg, to the college of commerce, and in other towns where there is no college of commerce, to the tribunals that have the cognizance of commercial affairs.

V. It is agreed, that the subjects of Great Britain, if they have no rixdollars to pay the customs or other duties for the merchandize which they import or export, shall be allowed to pay them in other foreign coin of a known name and established value, equal to that of the rixdollar, or in the current coin of Russia, the rixdollar valued at a hundred and twenty-five copecs (or pennies).

VI. All possible assistance and dispatch shall be given to the loading and unloading of ships, as well for the importation as the exportation of commodities, according to the regulations on that head established; and they shall not be in any manner detained, under the penalties denounced in the said regulations. In like manner, if the subjects of Great Britain make contracts with any chancery or college whatever, to deliver certain commodities or effects, upon notifying that such commodities are ready to be delivered, and after they shall have been actually delivered at the time specified in these contracts, they shall be received, and immediately thereupon the accounts shall be settled and cleared between the said college or chancery and the British merchants, at the time fixed in the said contracts. The same conduct shall be observed towards Russian merchants in the dominions of Great Britain.

VII. It is agreed, that the subjects of Great Britain may, in all the towns and places of Russia, where freedom of trade is permitted to any other nation, pay for the commodities they purchase in the same current coin of Russia, which they take for the commodities they sell, unless in their contracts they have stipulated the contrary; and this ought to be equally understood of Russian merchants in the dominions of Great Britain.

VIII. In the places where embarkations are ordinarily made, permission shall be granted to the subjects of the high contracting parties, to load their ships and carriages with, and transport by water or by land, all such sorts of commodities as they shall have purchased (with an exception, however, of those whose exportation is prohibited) upon paying the customs, provided these ships and carriages conform to the laws.

IX. The subjects of the high contracting parties shall pay no greater duty for the importation or exportation of their commodities, than is paid by the subjects

jects of other nations. Nevertheless, to prevent on both sides the defrauding of the customs, if it should be discovered that commodities have been entered clandestinely, and without paying the customs, they shall be confiscated; but, besides that, no other punishment shall be inflicted upon the merchants on either side.

X. Permission shall be granted to the subjects of the two contracting parties to go, come, and trade freely with those states, with which one or other of the parties shall at that time, or at any future period, be engaged in war, provided they do not carry military stores to the enemy. From this permission, however, are excepted places actually blocked up, or besieged, as well by sea as by land; but, at all other times, and with the single exception of military stores, the above-said subjects may transport to these places all sorts of commodities, as well as passengers, without the least impediment. With regard to the searching of merchant ships, men of war and privateers shall behave as favourably as the reason of the war, at that time existing, can possibly permit towards the most friendly powers that shall remain neuter; observing, as far as may be, the principles and maxims of the law of nations, that are generally acknowledged.

XI. All cannon, mortars, muskets, pistols, bombs, grenades, bullets, balls, fuses, flint-stones, matches, powder, salt-petre, sulphur, breast-plates, pikes, swords, belts, cartouch-bags, saddles, and bridles, beyond the quantity that may be necessary for the use of the ship; or beyond what every man serving on board the ship, and every passenger, ought to have, shall be accounted ammunition or military stores; and, if found, shall be confiscated, according to law, as contraband goods or prohibited commodities; but neither the ships nor passengers, nor the other commodities found at the same time, shall be detained or hindered to prosecute their voyage.

XII. If, what God forbid ! the peace should come to be broke between the two high contracting parties, the persons, ships, and commodities, shall not be detained or confiscated ; but they shall be allowed, at least, the space of one year, to sell, dispose, or carry off, their effects, and to retire wherever they please ; a stipulation that is to be equally understood of all those who shall be in the sea or land service ; and they shall farther be permitted, either at or before their departure, to consign the effects which they shall not as yet have disposed of, as well as the debts that shall be due to them, to such persons as they shall think proper, in order to dispose of them according to their desire, and for their benefit ; which debts, the debtors shall be obliged to pay in the same manner as if no such rupture had happened.

XIII. In case of a shipwreck happening in any place belonging to one or other of the high contracting parties, not only shall all kind of assistance be given to the unhappy sufferers, and no sort of violence shall be offered to them, but even the effects which they shall have saved themselves, or which they shall have thrown overboard into the sea, shall not be concealed, withheld, or damaged, under any pretext whatsoever ; on the contrary, the above-said effects and commodities shall be preserved and restored to them, upon their giving a moderate recompense to those who shall have assisted them in saving their lives, their ships, and their commodities.

XIV. Permission shall be granted to British merchants to build, buy, sell, and hire houses in all the territories and towns of Russia, excepting, however, with regard to the permission of building and buying houses in those towns of Russia which have particular rights of burghership, and privileges inconsistent with such indulgence ; and it is expressly specified, that at St. Peterburgh, Moscow, and Archangel, the houses which the British merchants shall buy, or cause to be  
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be built, shall be exempt from all quartering of soldiers, as long as they shall belong to them, and shall be inhabited by them; but with regard to the houses which they shall hire or let, these shall be subject to all the usual charges of the town; the tenant and landlord settling that matter between them. As to every other town of Russia, the houses which they shall purchase or cause to be built, in the same manner as those which they shall hire or let, shall not be exempted from the quartering of soldiers. Permission shall likewise be granted the Russian merchants to build, buy, sell, and let houses in Great Britain and Ireland, in the same manner as is done by the subjects of the most favoured nations. They shall enjoy the free exercise of the Greek religion in their houses, or in such places as are destined for that purpose; and in like manner the British merchants shall enjoy the free exercise of the Protestant religion. The subjects of either power, established in Russia or in Great Britain, shall have power to dispose of their estates, and to leave them by will to whomsoever they think proper, following the customs and laws of their own proper country.

XV. Passports shall be granted to all British subjects who desire to quit the dominions of Russia, two months after they shall have signified their design of departing, without obliging them to give security; and if, in that time, there appear no just cause for detaining them, they shall be allowed to go; nor shall they be obliged to apply for that purpose to any other quarter than to the college of commerce, or to that which may hereafter be established in its place. The same easy methods of departing shall, upon like occasions, and agreeable to the custom of the country, be granted to Russian merchants, who want to quit the dominions of Great Britain.

XVI. British merchants, who shall hire or employ domestics, shall, in this particular, be obliged  
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to conform themselves to the laws of this empire. And Russian merchants shall be equally obliged to do the same in Great Britain.

XVII. In all law-suits and other proceedings, the British merchants shall be amenable only to the college of commerce, or to that which shall hereafter be established for the administration of justice between merchants. But, if it should happen that the British merchants should have law-suits in any place at a distance from the above-mentioned college of commerce, both they and the adverse party shall prefer their complaints to the magistrate of the said towns; with this proviso, however, that the British merchants shall have the right to appeal from the sentence of the magistrate, and to demand that of the college of commerce, if they find themselves aggrieved. The Russian merchants in the dominions of Great Britain shall, in their turn, have the same protection and justice, which, according to the laws of that kingdom, are granted to other foreign merchants, and shall be treated as the subjects of the most favoured nation.

XVIII. The British merchants in Russia, and the Russian merchants in Great Britain, shall not be obliged to shew their books or papers to any person whatever, unless it be to make proof in the course of justice; still less shall the said books or papers be taken or detained from them. If, however, the case should happen, that any British merchant becomes bankrupt, he shall be amenable at St. Petersburg to the college of commerce, or to that which shall hereafter be established for the administration of justice in mercantile affairs; and in other remote towns, to the magistrate of the place; and he shall be proceeded against according to the laws that are or shall be made for this purpose. Nevertheless, if the British merchants, without becoming bankrupt, refuse to pay their debts, whether to the treasury of her Imperial Majesty, or to individuals, it shall be lawful to lay an

arrest upon part of their effects equivalent to their debts; and, in case these effects should not be sufficient for discharging such debts, they may themselves be arrested and detained in custody, until such time as the greater part of their creditors, as well with respect to number, as to the value of their respective demands, have consented to their enlargement. With regard to their effects laid under arrest, they shall remain as a deposit in the hands of those who shall be named and duly authorized for that purpose, by the greater part of their creditors, as is above specified; which delegates shall be obliged to appraise the effects as soon as possible, and to make a just and fair distribution of them to all the creditors, in proportion to their respective demands. The same procedure shall, in like cases, be observed towards the Russian merchants in the dominions of Great Britain, and they shall be there protected agreeably to the regulations made in the preceding article.

XIX. In case of complaints and law-suits, three persons of fair and unblemished character among the foreign merchants shall, with a proper regard to circumstances, be named by the college of commerce, and where there is no such college, by the magistrate, to examine the books and papers of the parties; and the report they shall make to the college of commerce, or to the magistrate, of what they shall find in the said books or papers, shall be held a good proof.

XX. The commissioners of the customs shall have the charge of examining the servants or clerks of the Russian merchants, when they cause their goods to be entered, whether they have, for that effect, the orders or full powers of the masters; and if they have not such, they shall not be credited. The same conduct shall be observed towards the servants of the British merchants; and, when the said servants, having the orders or full powers of their masters, shall cause their goods to be entered on account of their masters, these  
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last shall be as responsible as if they themselves had caused them to be entered. All the Russian servants employed in the shops shall likewise be registered, and their masters shall answer for them in the affairs of trade, and in the bargains which they make in their name.

XXI. In case the Russian merchants who are indebted to the British merchants withdraw from the places of their abode to other parts or districts, the college of commerce, after complaints shall have been made to them on the subject, and proofs of the debts have been adduced, shall cite them three times, allowing them a sufficient space to appear in person; and if they do not appear within the term prescribed, the said college shall condemn them, and shall send, at the expence of the plaintiff, an express to the Governors and Waywodes, with orders to put the sentence in execution, and thus shall oblige the debtors to pay the sums specified.

XXII. The brokerage shall be settled with justice, and the brokers shall be responsible for the quality of the goods and fraudulent package, and shall be obliged, after sufficient proofs produced against them, to make up the losses to which they have given occasion.

XXIII. A regulation shall be made to prevent the abuses that may be committed in the package of leather, hemp, and flax; and, if any dispute happen between the buyer and the seller concerning the weight or the tare, the commissioners of the customs shall determine it according to equity.

XXIV. In order the more effectually to encourage and promote the trade of Great Britain, it is agreed, that for the future the English woollen cloths, hereafter specified, shall not pay any greater duties on entry than are settled in this article, viz. English cloth for the use of the soldiery, shall pay (in rixdollars) only two copecs (or pennies) for every arscheen (or  $71\frac{1}{4}$  yards)

yards) as a duty on entry; coarse cloth of the county of York, known in the Russian Tariff by the name of *Costrogy*, shall only pay two copecs for every arsheen: broad flannel shall only pay one copec per arsheen; narrow flannel shall only pay three-fourths of a copec per arsheen, all as duty on entry. And in every thing that regards the imposts and duties payable on the importation or exportation of commodities in general, the subjects of Great Britain shall be always considered and treated as the most favoured nation.

XXV. The peace, friendship, and good understanding shall continue for ever between the high contracting parties; and, as it is customary to fix a certain term to the duration of treaties of commerce, the above-mentioned high contracting parties have agreed, that this treaty shall continue for twenty years, counting from the day of signing; and, after the expiration of that term, they may agree upon the means to renew and prolong it.

XXVI. The present treaty of navigation and commerce shall be approved and ratified by his Britannic Majesty and by her Imperial Majesty; and the ratifications, in due and lawful form, shall be exchanged at St. Petersburg, in the space of three months, or sooner if possible, counting from the day of signing.

In witness whereof, we the under-signed, in virtue of the full powers granted to us by his Majesty the King of Great Britain, and by her Imperial Majesty of all the Russias, have signed the present treaty, and thereto set our seals. Done at St. Petersburg, this 20th day of June 1766.

(L. S.) *George Macartney.* (L. S.) *Nikita Panin.*  
 (L. S.) *Ernest, Count*  
*Munich.*  
 (L. S.) *Pr. A. Galitzin.*  
 (L. S.) *Gr. Teploff.*

*The Edit of the Empress of Russia; giving leave to all foreigners, of what nation or country soever, to carry on a free and unlimited trade, both by sea and land, with the several countries bordering upon the Euxine, which have lately been annexed to the Russian dominion; and allotting specially to such foreign nations the ports of Cherson in the government of Catherineflaw, Sebastopolis (formerly called Acht-air) and Theodosia (formerly called Caffa) both in the province of Taurica, where they may reside and carry on their traffic with the same immunities and privileges, religious and civil, as are allowed at Peterburgh and Archangel.*

WE Catherine the second, by the grace of God, Empress and Autocratice of all the Russias, of Muscovy, Kiovia Wolodomiria, Novogorod, Czarina of Cazan, Czarina of Astrachan, Czarina of Siberia, Czarina of the Chersonesus Taurica, Lady of Pickof, and Great Duchess of Smolensko, Duchefs of Estonia, Livonia, Carelia, Twer, Ingorie, Permio, Vitatkia, Bulgaria, and other places; Lady and Great Duchefs of the country of Lower Novogorod, Chernigof, Razan, Polofzk, Rostof, Jaroslof, Belofersk, Udersk, Obdorsk, Coudinsk, Wityrpsk, Mstislawsk, and Sovereign of all the northern coasts, Lady of the Twersky country, of the Carthalianian and Grauzinian Czars, of the country of Carbadinia; of the Princes of Circassia, and those of the mountains, and of the other countries, Heirefs Lady, and Sovereign Ruler.

Our endeavours to increase the trade of our own subjects, and of the other nations throughout the Black Sea, and the Mediterranean, have met with the wished-for success; the treaty of commerce which we concluded with the Ottoman Porte on the 10th of June 1783, having finally removed those impediments and difficulties which, from the particular constitution of the Turkish government, had obstructed the said trade  
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in every step of its progress; which can only be guarded against by the institution of proper laws for the protection of commerce, and by granting it that entire freedom which its various speculations and turns so indispensably require. The principles of this unlimited freedom we have adopted, and followed from the earliest period of our government, as is manifest from the several edicts and regulations which have been issued from our throne; and we now extend these edicts and regulations in their utmost latitude to the trade of the Black Sea. The security and convenience of that commerce are now fully provided for by the annexation of the province of Taurica, and the neighbouring territories, to our other dominions; we have opened therein divers sea ports for the use of all persons who will carry away from thence the produce of Russia, and bring thither the produce and manufactures of other countries.

It is well known, that the last Turkish war (a war which, during the six years that it lasted, was signalized by so many victories of our arms) was no sooner concluded than we erected within the government of Catherineſlaw, upon the river Dniiper, and at a short distance, the city of Cherson: it having appeared to us that that situation was particularly commodious, as well for exporting the produce of Russia as for importing, from other countries, such things as might be useful to us; and we secured the trade thereof by the most effectual means of defence, encouraging it moreover by such helps as were best suited to it, and were not inconsistent with the general principles of commerce.

This town, as also Sebastopolis (formerly called Acht-air) and Theodosia (formerly called Caffa) both which latter are situated in the province of Taurica, and are provided with excellent sea-ports, we have, on account of the commodiousness of their situation, ordered to be opened to all nations, living in amity  
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with our empire, for the purposes of their commercial intercourse with our faithful subjects. Accordingly, we most solemnly declare, by these presents, that all such nations are at liberty to come to the said ports, either in their own or hired vessels, and under their own colours, as also to repair thither by land; and they are likewise free to depart from thence at their pleasure, paying the duties of importation and exportation agreeable to the tariffs established in the respective custom-houses.—Moreover, all persons, of what nations and countries soever, may remain in these towns as long as their business or inclinations may lead them, and enjoy the free exercise of their religion, agreeably to those laudable institutions which have been handed down to us from our ancestors, sovereigns of Russia, and which we ourselves have confirmed and augmented, permitting all strangers residing in Russia to worship the Almighty agreeably to the religion of their forefathers, offering prayers to him, together with our own subjects, that he will increase the welfare and strengthen the power of our empire. We give leave to all and every one to carry on their trade with absolute freedom, either singly or in companies, promising by our Imperial word, that all foreigners shall enjoy the same privileges in those three towns as they enjoy in our Imperial city of St. Petersburg, and in our provincial town of Archangel; and in case of a war, every one shall be secured by the principles of that neutral system which we have erected, and which, on our part, shall be kept sacred and inviolable. Finally, if any foreigners shall wish to settle in these or any other towns or places of our empire, and to become our subjects, we will receive them most graciously under our dominion, promising that they shall not only be allowed the free exercise of their religion (as mentioned above) but the full enjoyment of all such privileges and exemptions with regard to trade and navigation as have been granted to our other subjects; as also to erect fabrics and  
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and manufactories, paying only such taxes as shall be paid by our other subjects of the same condition with themselves. All persons, who shall thus become our subjects, shall be at liberty, they and their descendants, to remain under our government as long as may be agreeable to them, or as their interest may require; and in case they should afterwards chuse to withdraw from the same, they shall be freely permitted so to do, on paying the taxes that had been laid upon them for three years to come. The particular privileges which will be granted to the above-mentioned towns will be set forth in their respective charters, which are speedily to be published.

Given at St. Petersburg, the 22d of February  
1784, and in the 22d year of our reign.

The original was signed with her Imperial majesty's own hand.



## S W E D E N.

1654.  
11 April. **T**HE treaty of peace between Oliver Cromwell and Christina Queen of Sweden, concluded at Upsal.

*Treat.* 1732, vol. iii. p. 89.

*Treat.* 1785, vol. i. p. 69.

1656. The treaty between Oliver Cromwell and Charles Gustavus King of Sweden, concluded at Westminster, confirming and explaining the treaty of Upsal.

*Treat.* 1732, vol. iii. p. 162.

1661. The treaty of alliance and commerce between Charles II. King of Great Britain, &c. and Charles King of Sweden, concluded at Whitehall.

*Pap. Off.* H: 2.

*Treat.* 1732, vol. iii. p. 240.

*Treat.* 1772, Suppl. p. 28.

1665. The treaty of alliance and commerce between Great Britain and Sweden, concluded at Stockholm. *Pap. Off.* H. 3.

1666. The treaty of commerce between Great Britain and Sweden, concluded at Stockholm.

1668. The treaty between Great Britain, Sweden, and the States General, with the separate articles, concluded at the Hague.

*Pap. Off.* H. 5.

1674. The treaty of alliance and commerce concluded between Great Britain and Sweden, concluded at Westminster.

30 Sept.  
10 Oct.

*Pap. Off.* H. 7.

1699.

1699. The treaty between Great Britain, Swe-  
 $\frac{2}{3}$  Dec. den, and the States General, with the sepa-  
 1700. rate and secret articles, concluded at Lon-  
 $\frac{1}{11}$  Jan. don and the Hague.

*Pap. Off. H.* 9.

*Treat.* 1785, vol. i. p. 313.

1703. The defensive alliance between Great  
 $\frac{5}{10}$  Aug. Britain, Sweden, and the States General,  
 with the separate article, concluded at the  
 Hague. *Pap. Off. H.* 10.

1720. The treaty of alliance and mutual assist-  
 $\frac{21}{1}$  Jan. ance, with the separate articles, concluded at  
 Stockholm.

*Pap. Off. H.* 13.

*Treat.* 1732, vol. iv. p. 106.

*Roussel, Recueil Historique*, tom. ii.  
 p. 476.

1727. The accession of Sweden to the treaty of  
 14 Mar. Hanover, 3d Sept. 1725, between Great  
 Britain, France, and Prussia, with the sepa-  
 rate and secret articles.

*Pap. Off. H.* 16.

*Treat.* 1732, vol. iv. p. 162.

*Roussel, Recueil Historique*, tom. iii.  
 p. 314.

1766. The treaty of alliance and commerce be-  
 5 Feb. tween Great Britain and Sweden.

*The Treaty of Peace between Oliver Cromwell, Protector of the Commonwealth of England, and Christina, Queen of Sweden, concluded at Upsal the 11th of April, 1654.*

WE the underwritten Axel Oxenstiern, Chancellor of the kingdom, and Provincial Judge of the Western Nordelles, Swedish Lapland, and Jemp-terland, Count of the Southern Morea, Free Baron in Kimith, Lord in Tyholm and Tidoen, Knight; and Eric Oxenstiern, Son of Axel, President of the General College of Commerce, Count of Southern Morea, Free Baron in Kimith, Lord in Tidoen, and of Vy-bium and Gorwats, Senators and Plenipotentiaries of the most Serene and most Potent Princess and Lady, the Lady Christina, by the Grace of God of the Swedes, Goths, and Vandals, Queen, Great Princess of Finland, Duchefs of Esthonia, Carelia, Bremen, Verden, Stetin, Pomerania, Cassuben, and Vandalia, Princess of Rugen, also Lady of Ingria and Wismar, &c. and Senators and Plenipotentiaries also of the kingdom of Sweden, do hereby make known and testify, That as there has been a good and amicable correspondence, time out of mind, between the Swedish and English nations; and that as for renewing and increasing the same, it has been thought convenient that the most illustrious and most excellent Lord Bulstræle Whitlock, Constable of Windsor Castle, and one of the Commissioners of the Great Seal of England, should come to her Sacred Royal Majesty, by the command and in the name of Oliver, Lord Protector of the republic of England, Scotland, and Ireland, and the dominions thereof, sufficiently authorized and instructed to transact the affairs hereafter mentioned; so on the other hand, her said sacred Royal Majesty having furnished us with the like full powers, has graciously enjoined us, that after consultation held with the aforesaid Lord Ambassador, on such matters as shall be thought most agreeable to the present circumstances

circumstances of affairs, for establishing the freedom of commerce and navigation, and corroborating a mutual friendship, something certain might be determined, and comprehended under certain articles of a mutual treaty: For which reason, after mature deliberation, we agreed to the points hereafter following, as they are clearly expressed in the articles of this treaty.

I. There shall be and remain hereafter between the Queen and kingdom of Sweden, and the Lord Protector and the republic aforesaid, and all and singular their dominions, kingdoms, countries, provinces, islands, lands, colonies, cities, towns, people, citizens, inhabitants, and all their subjects and inhabitants, a good, sincere, firm, and perpetual peace, amity, goodwill, and correspondence, so that both parties shall love each other with the most entire affection.

II. The aforesaid confederates, and the subjects, people, and inhabitants of both dominions, as occasion offers, shall take care of and promote their mutual advantage; shall also certify one another of any dangers which they see threatened to either from the conspiracies and machinations of their enemies, and shall oppose and hinder the same, as far as lies in their power. And it shall not be lawful for either of the confederates, either for himself, or by any other persons whatsoever, to act, treat of, or endeavour any thing to the inconveniency or detriment of the other, in any part of their lands or dominions whatsoever, whether by land or sea; nor shall either of the confederates favour the rebels or enemies of the other, nor receive, or admit into their dominions, any rebels or traitors, who shall form any contrivance against the state of the other, much less afford them any advice, assistance, or favour, or suffer or permit any such assistance to be given them by the subjects, people, and inhabitants of either nation.

III. The said Queen and kingdom, and the aforesaid Lord Protector and republic, shall be very careful

ful to remove all those impediments, as far as lies in their power, which have hitherto interrupted the confederates freedom of navigation, and commerce between the two nations, through the dominions, lands, seas, and rivers of both, with other people and nations; and they shall be justified in asserting, establishing, defending, and promoting the abovementioned liberty of navigation, and of all merchandize on both sides, against all disturbers whatsoever; without suffering any thing to be done or committed, contrary to this article, either by themselves, or their subjects or people.

IV. It is granted, and it shall be free for both of the said confederates, and their inhabitants and subjects, to have free ingress and egress, residence or passage, in, through, or from the kingdoms, countries, provinces, lands, islands, cities, and towns, walled or unwalled, fortified or not fortified, dominions and territories whatsoever, of the other confederate, freely and securely, without any license or safe-conduct, general or special; and in the mean time to buy and purchase all necessaries for their sustenance and use, where they think fit, and that they be treated with all manner of benevolence. It shall likewise be lawful for both of the confederates, and their subjects and inhabitants, to merchandise, traffic, and trade, in all places where commerce has been carried on at any time hitherto, in whatsoever goods and wares they please; and every one shall have leave to import and export the same at discretion; provided they pay the duties, and observe the laws and orders of the aforesaid kingdom and republic, relating to merchandize, or any other right. Which things being presupposed, the people, subjects, and inhabitants of either of the confederates, shall have and possess in the countries, lands, dominions, and kingdoms of the other, as full and ample privileges, and as many exemptions, immunities, and liberties, as any foreigner doth or shall possess in the dominions and kingdoms of the said confederates.

V. The

V. The merchants, captains, masters of ships, mariners, and all men whatsoever, their ships, and all merchandize and goods in general, of either of the confederates, their subjects and inhabitants, shall not be put or detained under arrest, on any public or private account, by virtue of any general or special edict, in any of the territories, harbours, stations, shores, or dominions whatsoever, of the other confederate, for public use, warlike expeditions, or any other cause, much less for the private use of any person; nor be compelled by any sort of violence, nor in any wise molested or injured. Provided nevertheless, that arrests which are agreeable to justice and equity be not prohibited, if made according to the ordinary forms of law, and not to gratify the passions of private persons, but as indispensably requisite for the administration of law and justice.

VI. That if one or more ships of either of the confederates, whether ships of war, or private ships of burthen belonging to their subjects, citizens, and inhabitants, be drove by stress of weather, or pursued by pirates and enemies, or compelled by other urgent necessity to any harbours, stations, or shores whatsoever, of the other confederate, they shall be there received with all kindness and humanity, and enjoy amicable protection, without being hindered in any measure from refitting themselves intirely, and from buying all necessaries for their sustenance, repair, and conveniency, at a fair price; nor shall they be hindered on any account from weighing anchor, and departing from any port and station, when they please, without paying the customs, or any imposts, so long as they do not contravene or transgress the statutes, orders, and customs of the place, to which the ships shall be retired, or where they stay.

VII. For the like reason, if one or more ships, whether public or private, of either of the confederates, their subjects or inhabitants, have run ashore, suffered

wreck, or any loss or damage whatsoever, or shall hereafter, upon the coasts or any territories whatsoever of the other confederate, the sufferers shall be kindly and friendly relieved, and assisted for a proper reward. Provided that whatsoever be recovered of the said wreck, or any loss or damage, be secured, preserved, and restored to the rightful owner, or his representative.

VIII. That if the subjects and inhabitants of either of the confederates, whether they are merchants and their factors, servants, captains, masters of ships, mariners, or others, travelling or sojourning, for any other reason, in the dominions of the other confederate, want the assistance of the magistrates, either to plead any cause in the courts of justice in their name for the recovery of their debts, or for other lawful reasons, it shall be courteously afforded to them readily, and according to the equity of the case; and justice shall be administered without tedious and unnecessary delays. They shall not in any manner, or for any pretence, be hindered in transacting their affairs, contracting for merchandize, receiving the price for them, and performing their journies, but shall be treated every where with the most friendly offices; and it shall be free for them on both sides to wear arms for self-defence, on the shores, or in the ships, harbours, and public places whatsoever of the other confederate. Provided they do not give the governors and magistrates of any place whatsoever, any just suspicion of any machinations against the public or private peace; and whosoever behave modestly and innocently, shall be protected from violence and trouble.

IX. It shall be lawful for the said confederates, and each of them, their people and subjects, to buy and export from their respective countries, dominions, and kingdoms, arms and warlike stores of all sorts, and ships, into one another's harbours, stations, and shores, to hale them ashore with safety and freedom  
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to reside there, and to depart from thence, provided they behave modestly, peaceably, and conformably to the laws and customs of the several places, and do not in any respect hinder the freedom of commerce. In like manner, the Dutch ships shall have free access to the ports of the other confederate, and free anchorage there: but if their number be such as may give manifest suspicion, they shall not enter without consent and leave first obtained from that confederate, whose harbours they are at; unless they are drove in by tempests, or by violence, or by danger at sea: in which case they shall signify the reason of their coming to the governor or chief magistrate of the place, but shall not stay there longer than the time granted by the governor, or chief magistrate of the place, as aforesaid, nor longer than they observe this article, and those other conditions hereafter stipulated.

X. It shall be lawful for the subjects and inhabitants of the Queen and kingdom of Sweden, to travel safely, and without molestation, in England, Scotland, and Ireland, and all the dominions thereof, and to pass through the same whither they please, by land or sea, to any nations whatsoever, and freely to trade and traffic with them in all sorts of merchandize, to import them thither, and to export them from thence: and the people of the aforesaid republic shall enjoy the same liberties in the kingdoms, dominions, and territories of the Queen and kingdom of Sweden, on condition that the laws, ordinances, and prerogatives of each nation respectively, which relate to commerce and merchandize, be observed on both sides.

XI. Although the preceding articles of this treaty, and the laws of friendship forbid, that either of the confederates shall give aid and assistance to the enemies of the other, yet it must by no means be understood, that that confederate, with the subjects and inhabitants, who are not involved in war, shall carry on no manner of trade and navigation with the enemies of  
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that confederate who is engaged in the war. Only it is hereby provided, in the mean time, till all the rules appertaining to this matter are settled, that no merchandize of that sort which shall be deemed contraband (which shall be specified by a particular catalogue, to be settled within four months) shall be carried to the enemies of the other, without danger of being made prize, and without hopes of redemption, if they are seized by the other confederate.

XII. Left that such free navigation or passage of one of the confederates, or his or her subjects and inhabitants, while the other confederate is at war, by land or sea, with other nations, should be prejudicial to the other confederate; and lest hostile goods and wares should be concealed under the disguise of friendship; for removing all suspicion and fraud, it is thought fit that all ships, carriages, wares, and men, belonging to either of the confederates, shall be duly furnished in their journies and voyages with safe-conducts, commonly called passports and certificates, which shall be signed by the chief governor or magistrate of the chief province, or city from whence they came, and be regulated in all things according to the forms that shall be agreed on within the space of six months from the date hereof: And when the merchandize, goods, ships, men of either of the confederates, and their subjects and inhabitants, shall meet or be met by the ships of war, public or private, or the subjects and inhabitants of the other confederate in the open sea or straits, harbours, stations, lands, or other places wheresoever they shall come together, after producing their safe-conducts and certificates, nothing farther shall be demanded of them; no inquiry whatsoever shall be made into the ships, goods, or men, much less shall they be injured, damaged, or molested, but shall be freely let go to prosecute their journey, voyage, or business. And if any thing be committed by either party contrary to the genuine meaning of this article, both of the confederates shall inflict a severe punishment on their subjects

jects and inhabitants, the contraveners, and shall take care that plenary and immediate satisfaction be given to the other injured confederate, or his subjects and inhabitants, for all los and expences.

XIII. If it also happen hereafter, during this friendship and treaty, that any of the people and subjects of either of the confederates attempt or endeavour any thing contrary to this league, or any article thereof, by land or sea, or elsewhere, this friendship, league, and contract shall not be interrupted or dissolved between the said confederates on that account, but shall nevertheless remain and continue intire, and those particular men only shall be punished, who shall violate this treaty, and right and justice shall be administered to those who receive the injury, and all manner of satisfaction shall be made them for the los and injury within the space of twelve months after the restitution demanded. And if the said delinquents, and those who are guilty of the violence committed, refuse to stand and submit to justice, or to make satisfaction within the day appointed, their estates, goods, and possessions whatsoever, shall be confiscated and sold for the just and full satisfaction of the injuries which they have committed; and the delinquents and guilty persons themselves, when they come into the power of the other state, shall moreover suffer due punishment, according to the nature of the offence. And restitution and satisfaction shall be made speedily, and without delay, to the party injured, and his or her subjects and inhabitants, for the losses and damages which either of the confederates suffered by the other, during the war betwixt England and the United Provinces of the Netherlands.

XIV. The present treaty and confederacy shall derogate nothing from any preheminence, right, and dominion whatsoever, of either of the confederates, in their seas, straits, and waters whatsoever, but shall have and retain the same to themselves, in as ample

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a manner as they have hitherto enjoyed them, and as by right to them belongs.

XV. Whereas therefore it is the primary institution of this treaty, that such a freedom of navigation and commerce, as is described in the foregoing articles, may be and remain on both sides, to both of the confederates, their subjects and inhabitants, in the Baltic Sea, the Sound, the North Sea, the British Ocean, the Mediterranean, and the Channel, and the other seas in Europe, both parties shall endeavour heartily, with their joint advice, help, and assistance, that the aforesaid mutual freedom of navigation and commerce may be established and promoted, in all the seas and straits aforesaid, and defended, if occasion shall require, against all disturbers, who shall attempt to interrupt, prohibit, hinder, constrain, or force it for their own pleasure, and for the sake of injuring the confederates. And both of the said confederates shall contribute friendly and readily to promote the advantages and remove the disadvantages of each other; saving the treaties heretofore entered into, and still subsisting, between both nations, and other kingdoms, republics, and states. And hereafter neither of the confederates shall by any means enter into any treaty, or make any contract with other foreign nations and states whatsoever, to the least prejudice of this present treaty, without the previous knowledge and consent of the other confederate; or if any thing shall hereafter be stipulated with others, it shall be accounted of no effect, and shall yield in all respects to this mutual convention. As to the mutual aid or assistance to be given one another for the defence of this treaty, and the freedom of commerce and navigation, when it shall be necessary, and reason requires, a more particular agreement shall be made, according to the circumstances of time, &c.

XVI. As to the other advantages to be enjoyed, and laws to be conformed to by the men of war,  
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which arrive at the harbours or stations of either of the confederates, the trade to be carried on in America, also as to the catching of herrings, and other fish whatsoever, the appointing of staples and emporiums of commerce, and the regulating of other matters and conditions, which may be required for the greater illustration of the foregoing articles, the same shall be settled, as hereafter shall be mutually agreed, by a special treaty or covenant.

XVII. But those things to which we have consented in the former articles shall immediately from this instant be in full force, and duly observed by both parties, and by all who are united on both sides by allegiance, faith, and obedience. And to the intent that hereafter they may be rendered the more stable and firm, as well by her most gracious Royal Majesty, as by the Lord Protector of the republic of England, Scotland, and Ireland, and their dominions, in the name of his Highness, and the said republic, they shall be subscribed, signed, and ratified within the term of four months, with the very hands and seals of her Majesty and his Highness.

In confirmation of all that is above written, and in witness that they shall be sacredly observed, and ratified within the day aforesaid, on the part of her Royal Majesty, our most gracious Lady, we have subscribed these presents with our hands, and sealed them with our seals. Done at Upsal the 11th of April, 1654.

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*The Treaty between Charles Gustavus King of Sweden, and Oliver Cromwell Protector of England; whereby the Treaty of Alliance made between those two States the 11th of April 1654, is confirmed and explained. Done at London, Anno 1656.*

I Christiern Bonde, Free Baron of Layhela, Lord of Ymfiholm, Bordfoo, and Springestadt, &c. Senator of the kingdom of Sweden, and of the most Serene

rene and Potent Prince and Lord, the Lord Charles Gustavus, by the grace of God King of the Swedes, Goths, and Vandals, Great Prince of Finland, Duke of Esthonia, Carelia, Bremen, Verden, Stetin, Pomerania, Cassuben, and Vandalia, Prince of Rugen, Lord of Ingria and Wismar, also Count Palatine of the Rhine, and Duke of Bavaria, Juliers, Cleves, and Mons, and Ambassador Extraordinary from that Prince to the most Serene and most High Oliver Lord Protector of England, Scotland, and Ireland, and the dominions thereof, and to the republic of England; do hereby make known and testify to all and every one whom it concerns, or whom it may in any measure concern, That whereas in the treaty made at Upsal, the 11th of April 1654, between the most Serene and Potent Princess Christina, by the grace of God Queen of the Swedes, Goths, and Vandals, Great Princess of Finland, Duchesse of Esthonia, Carelia, Bremen, Verden, Stetin, Pomerania, Cassuben, and Vandalia, Princess of Rugen, Lady of Ingria and Wismar, and the kingdom of Sweden, and the said Lord Protector of the republic of England, &c. certain affairs, relating as well to the establishment of mutual friendship, as to the advantages of commerce and navigation, were deferred to a more convenient time. And whereas it hath seemed good to his said most Serene Royal Majesty of Sweden, to send me over to England, vested with sufficient powers to transact the same, and the other affairs which follow; therefore, after a conference with the Lords Commissioners of the said most Serene Lord Protector, viz. the most noble Lord Nathaniel Fiennes, one of the Keepers of the Great Seal, and of his Highness's Privy Counsellors, Sir Bulstrode Whitlock, Knight, one of the Commissioners of his Highness's Treasury, and Constable of Windsor Castle, and Walter Strickland, Esq; both Members also of his Highness's said Privy Council, furnished with sufficient powers and commands for this purpose; and after we had mutually imparted our opinions, and maturely considered

considered the following points, we agreed as is clearly and perspicuously expressed in the words of the under-written articles.

I. It shall be lawful for either of the confederates to raise any soldiers and seamen by beat of drum within the kingdoms, countries, and cities of either; and also to hire men of war and ships of burden, observing only the following conditions.

1. Whichsoever of the confederates desires to have a muster, he shall notify his intention to his ally, and specify the places in which he thinks such levies may most conveniently be made; and if the condition of the other ally will not permit that the levy should be made in that place, then the other, being so required, shall appoint another place more convenient for his purpose, and as little as possible to the detriment of both parties.

2. As to the number of soldiers to be raised, or of ships to be hired, regard shall be had to the affairs and circumstances of that confederate in whose kingdoms and dominions the musters are to be made; lest if a greater number of forces be required than is fitting, the other should find the want of them, or be disappointed of them for his own occasions.

3. When soldiers are raised in that country, they shall not take arms, nor so much as on board the ships, till they come within twenty leagues of the place where they are to be set ashore.

4. The colonels or captains shall raise no soldiers who are already entered into the pay of another king or state, nor shall they entice any from their colours.

5. The soldiers, sailors, and ships, raised or hired, as above, in the kingdoms and countries of either of the confederates, shall not be raised against the friends or allies of the other, to the violation of the treaties concluded and now subsisting between one another and their allies.

II. Whereas

II. Whereas in the XIth article of the treaty lately made at Upsal in 1654, betwixt England and Sweden, it was agreed and specified what goods and merchandize should hereafter be declared contraband and prohibited; it is now by virtue of the said article established, that only those hereafter mentioned shall be reckoned prohibited, and consequently not to be disposed of to the enemies of either, viz. bombs with their fuses and other appurtenances, fire-balls, gun-powder, matches, cannon-ball, spears, swords, lances, pikes, halberts, guns, mortars, petards, granadoes, musket-rests, bandaliers, saltpetre, muskets, musket-balls, helmets, head-pieces, breast-plates, coats of mail, cuirasses, and the like kind of arms; soldiery, horses, with all their furniture, pistols, holsters, belts, and all other warlike instruments; and also ships of war. Money shall also be reckoned among the goods with which the enemies are not to be supplied, and which it shall not be lawful to carry to the enemies of either, any more than the things above mentioned, on the penalty of being made prize without hopes of redemption, if they are seized by either of the confederates. Nor shall either of the confederates permit that the enemies or rebels of the other be assisted by any of their subjects, or that their ships be sold, lent, or in any manner made use of by the enemies or rebels of the other, to his disadvantage or detriment.

III. But it shall be lawful for either of the confederates, and his people or subjects, to trade with the enemies of the other, and to carry them any goods whatsoever, which are not excepted as above, without any impediment: Provided they are not carried to those ports or places which are besieged by the other; in which case they shall have leave either to sell their goods to the besiegers, or to repair with them to any other port which is not besieged.

IV. Whereas in the XIth article of the treaty concluded at Upsal the 11th of April, 1654, between  
Sweden.

Sweden and England, it was agreed, that although it was precautioned and prohibited by the preceding articles, that either of the confederates should give aid and assistance to the enemies of the other, yet it ought not to be understood, that that confederate who is not involved in war with the enemy of the other, shall not be allowed to carry on trade with the said enemy of that confederate: but it was only provided thereby, till there should be a farther agreement concerning this matter, that no goods or merchandize which we commonly call contraband shall be carried to the enemy of the other, without danger of being made prize, and without hopes of redemption, if they are seized by the other confederate. In like manner, whereas by the XIIth article of the said treaty, for the evading of all suspicions, lest the navigation or commerce of one of the confederates, whether by land or sea, should be carried on during war to the prejudice of the other confederate, or lest the goods of enemies should be carried under the disguise of the goods of friends, it was stipulated and concluded, that all ships, carriages, wares, and men, belonging to the other of the confederates, should be furnished in their journey and passage with safe-conducts, commonly called passports, and certificates, signed by the chief governor or magistrate of that province and city from whence they came; and that those forms of the passports and certificates were to be observed on which the confederates should mutually agree on both sides; and when the merchandize, goods, ships, men of either of the confederates, and his subjects and inhabitants, shall meet or be met by the ships of war, public or private, or the subjects and inhabitants of the other confederate, in the open sea, straits, harbours, havens, lands, and other places, wheresoever or howsoever they shall come together, after producing only their safe-conducts and certificates nothing farther should be demanded of them, no inquiry whatsoever should be made into the ships, goods, or men, much less should they be injured, damaged,



or molested; but should be freely let go to prosecute their journey and purpose, as is above signified.

And whereas by the XIVth article it was stipulated, that the said treaty and confederacy should derogate nothing from any preheminance of right and dominion whatsoever of either of the confederates, in any of their seas, straits, and waters whatsoever, but that they should have and retain the same to themselves in as ample a manner as they had all along enjoyed them, and as by right to them belonged; Now therefore that a fitting draught of such certificates and passports may be formed and observed, which may be answerable to the meaning of the aforesaid articles, it is agreed and concluded on both sides, That for avoiding all frauds and concealments whatsoever of the enemies goods, and all occasions of quarrels as to any certificates and passports, such forms as are underwritten verbatim shall be observed, and subscribed and signed by the chief magistrate of that province and city from whence they come; that then the true names of the ships, carriages, merchandize, and masters of the ships be specified; as also the punctual days and times, without any fraud, together with other descriptions of that sort, which are expressed in the following form of a safe-conduct or certificate. Wherefore, if any person who shall declare upon the oath by which he is bound to his king, state, or city, that he has given in a true account, be convicted by sufficient proof of having concealed any fraud by his permission under his said declaration, he shall be severely punished as a transgressor of the said oath.

We *N. N.* governor or chief magistrate of the province or city of *N.* [the title or office of the respective government of that place being added] do make known and certify, that on the \_\_\_\_\_ day of the month of \_\_\_\_\_ A° \_\_\_\_\_ *N. N. N.* citizens and inhabitants of *N.* and who are engaged and bound as subjects of his most Serene Royal Majesty of Sweden,  
and

and to our city, or of the most Serene Lord Protector our most gracious Lord, and to our city, personally appeared before us in the city or town of *N.* in the dominion [of his most Serene Royal Majesty of Sweden, or of the most Serene Lord Protector of England, just as it shall happen] and declared to us, that the ship or vessel called *N.* of            about            last[s] or tons, belongs to the port, city, or town of *N.* in the dominion of *N.* and that the said ship does rightfully belong to him or other subjects of his most Serene Royal Majesty of Sweden, or of the most Serene Lord Protector, that she is now bound directly from the port *N.* to the port *N.* laden with the following merchandize, viz. [here shall be specified the goods, with their quantity and quality; for example, about so many chests or bales, hogheads, &c. according to the quantity and condition of the goods] and affirmed upon oath to the aforesaid *N.* that the said goods or merchandize belong only to the subjects of his most Serene Royal Majesty of Sweden, the most Serene Lord Protector of England; or expressing to whatever other nation they belong, and that *N. N. N.* have declared upon their said oath that the said goods above specified, and no others, are already put on board or are to be put on board the abovenamed ship for the said voyage, and that no part of those goods belongs to any one whatsoever, but the persons abovementioned; and that no goods are disguised or concealed therein by any fictitious name whatsoever, but that the merchandize abovementioned is truly and really put on board, for the use of the said owners and no others; and that the captain of the said ship named *N. N.* is a citizen of the city of *N.* Therefore whereas after strict examination by us the abovementioned [governor or chief magistrate of the city aforesaid] it fully appears that the goods on board the said ship or vessel are free, and do truly and really belong to the subjects of his most Serene Royal Majesty of Sweden, or of the most Serene Protector, or to the inhabitants of

other nations abovementioned; We do most humbly and earnestly require it of all and singular the powers by land and sea, kings, princes, republics, and free cities; also of the generals of armies, admirals, commanders, officers and governors of ports, and all others to whom the custody of any harbour or sea is committed, which meet this ship in her voyage; or if she happen to fall in, among, or pass through their squadrons, or to stay in their harbours, that for the sake of the treaties and friendship which subsist respectively between them, or whoever are his superiors, and the most Serene King of Sweden, or the most Serene Lord Protector our most gracious Lord, they will not only permit the said captain with the ship *N.* and the men, goods, and merchandize to her belonging, to prosecute her voyage freely without lett and molestation; but also, if he think fit to depart elsewhere from such harbour, that they will shew all kind offices to him and his ships as a subject of his most Serene Royal Majesty of Sweden, or of the most Serene Lord Protector, as they shall in like manner experience the same from our most Serene King, or our most Serene Lord Protector, and all his ministers and subjects in the like or any other case. In witness whereof we have taken care that these presents signed by our hands be sealed with the seal of our city. Given at our court.

V. Neither of those confederates shall suffer the ships, vessels, goods, or merchandize of the other, or of his people or subjects, which are taken at sea or elsewhere by enemies or rebels, to be brought into their ports or dominions, but shall publicly forbid any thing of that kind to be done; and if any ships, vessels, goods, or merchandize of either, or his people or subjects, taken at sea or elsewhere, shall be carried into the ports or countries of the other by any enemy or rebel of the confederates, or either of them, that confederate into whose harbours they shall be carried, shall not suffer the same or any part thereof to be sold in that port, or any other place in their dominion; but shall

shall take care that the master of the ship or vessel so taken, as also the mariners and passengers, shall as soon as they arrive, be immediately set at liberty, together with all the prisoners, subjects of either kingdom or republic, as many as shall be brought thither; nor shall he permit the said ship and vessel to stay in that harbour, but shall command the said ship, with her goods, merchandize, and lading, immediately to leave the harbour. Provided nevertheless, that nothing in this article be turned to the prejudice of the treaties formerly entered into by either of the confederates with other nations; and where these things do not interfere, the above article shall remain in full force.

VI. It shall be free for the men of war and guard-ships of either of the confederates to enter into the ports, havens, or rivers of the other, where such ships use to repair, and there to cast anchor, stay, and to depart from thence without any injury or molestation; provided these conditions are observed.

1. That it shall not be free to carry into the harbours of the confederate any squadron, exceeding five or six ships, without giving some notice thereof beforehand.

2. That the commander of the squadron and ships shall without delay exhibit his letters of safe-conduct to the governor of the castle, fort, city, or province, or acquaint the magistrate of the place where he arrives with the reasons of his coming, and for what end, and how long he designs to stay in that port or haven.

3. That such ships shall not come or stay nearer to those castles or forts than is convenient.

4. That the mariners, ships companies, and soldiers, shall not go ashore in bodies above 40 at a time, nor in any number that may give suspicion.

5. That while they are there they shall not do any damage to any person, not so much as their enemies; and above all shall not stop or obstruct the passage of any merchant ships whatsoever, into or out of the harbour.

6. That they shall not leave their station for the sake of infesting the navigation of any nation whatever.

7. That they shall in all respects live and behave modestly, quietly, and conformably to the laws and customs of every place, and have special regard to the reciprocal friendship between the confederates. Where the terms aforesaid are rightly observed according to the true meaning of the words, it shall be lawful for the men of war of either confederate to keep upon the coasts, and continue in the harbours of the other confederate, whether for avoiding tempests and enemies, or for rendezvousing and assembling merchant ships, or any other just causes. But if either of the confederates shall think it advantageous or necessary to enter the ports of the other confederate with a greater number of ships, and to enjoy the conveniences thereof, he shall signify the same to his confederate two months beforehand, during which time the ways and means of admitting the same shall be settled.

VII. Whereas it is provided by the aforesaid treaty at Upsal, that satisfaction should be given for the losses which either of the confederates or his people or subjects sustained from the other, or his people or subjects, during the war between the Republic and the States of the United Netherlands, it is now agreed, that three commissioners shall be delegated and deputed on each side, who shall take cognizance of, and decide all those disputes; which commissioners shall meet at London, the first day of January next. And the three commissioners abovementioned, so chosen and deputed on both sides, shall have power to take all those things into their consideration which shall be exhibited or proposed on both sides, and which happened in the said period, as well concerning the restitution of the ships or goods hitherto detained, as the satisfaction for losses sustained by the detaining of the ships of either of the confederates, which are already or shall hereafter be released; or if it can be conveniently done in any other manner, they shall judge of them summarily, according to right and reason, without any appeal

peal or forms of law; and both parties shall make it their chief business and endeavour that what is just and right be transacted in the controversies aforesaid without any delay, and that what is taken away be restored, and satisfaction performed and made fully and really for the losses and expences, according to the tenor of the XIIIth article of the aforesaid treaty at Upsal. But if the said commissioners cannot agree in any reasons or foundations whatsoever of the proofs relating to such restitution or satisfaction, then those differences shall be left to another convention of the confederates. And that this may be done with the least loss of time, they shall use their endeavour to finish the cognizance of all these matters in question within six months after the first meeting; and the restitution and satisfaction for those losses shall be made and performed fully and without delay, within the space of a month after sentence is passed, by that king or state whose subjects shall be doomed to perform the satisfaction.

VIII. The subjects of the said most Serene Lord Protector and the said republic shall also hereafter enjoy all the prerogatives in the several branches of trade, which they used to carry on in Prussia and Poland, or elsewhere in the dominions of the said most Serene King of Sweden, which they enjoyed heretofore, in preference to other nations; and if at any time they desire farther privileges, their desires shall be gratified by all the means possible: And if the said most Serene King of Sweden shall grant greater and more ample privileges than the abovementioned, in Poland and Prussia, to any nation besides, or people not subject to him, or shall suffer any nation or people to enjoy such larger privileges there, then the people and citizens of this republic shall enjoy the same privileges in all respects, after they have desired it of his most Serene Royal Majesty. And moreover, if any edicts that have been published since 1650, happen to be burdensome to the English and Scots, dwelling or trading in Poland and Prussia, the same shall after this time be

of no force, as far as it can be rendered so in the dominions of the most Serene King of Sweden; but the subjects of the said Lord Protector shall hereafter be entirely free from those burdens.

IX. As to the commerce to be carried on in America, it is expressly provided by law, that the subjects of no republic besides shall be impowered to trade there in common without a special licence: but if any of the subjects of the most Serene King of Sweden, furnished with his recommendations, shall privately solicit such licence of the Lord Protector to trade to any of those colonies whatsoever, he will in this respect comply with the desire of his most Serene Royal Majesty of Sweden, as far as the state of his affairs and of the republic will for that time permit.

X. It shall be free for the subjects of the most Serene King of Sweden, to fish and catch herrings and other fish in the seas and on the coasts which are in the dominion of this republic, provided the ships employed in the fishery do not exceed a thousand in number: nor while they are fishing shall they be any ways hindered or molested; nor shall any charges be demanded on the account of the fishing by the men of war of this republic, nor by those who are commissioned privately to trade at their own expence, nor by the fishing vessels on the northern coasts of Britain, but all persons shall be treated courteously and amicably, and shall be allowed even to dry their nets on the shore, and to purchase all necessary provisions from the inhabitants of those places at a fair price.

XI. It is also agreed and concluded, that the present treaty, and all and singular the things therein contained and included by the aforesaid ambassador of his said most Serene Royal Majesty of Sweden, and the commissioners of the most Serene Lord Protector, shall be confirmed and ratified within four months next ensuing (or sooner if possible) by the letters patent of the said King and Protector, sealed in due and authentic

tic form with their great seal; and that the mutual instruments shall be exchanged on both sides within the term aforesaid.

*The Commission from the most Serene Lord Protector.*

OLIVER, Protector of the republic of England, Scotland, and Ireland, &c. To all and singular to whom these presents shall come, greeting. Know ye, That whereas in the treaty made at Upsal between us and the most Serene and Potent Princess Christina, &c. some points relating to the establishment of a mutual amity, and to the advantages of trade and navigation, were adjourned to a more convenient opportunity; and whereas the most Serene and Potent Prince and Lord Charles Gustavus, &c. hath sent to us as his ambassador the most noble Lord Christiern Bonde, &c. vested with full powers to transact those and other affairs; we being entirely satisfied of the probity, fidelity, care, and prudence of our well-beloved Nathaniel Fiennes, &c. Bulstrode Whitlock, &c. and Walter Strickland, &c. have, by the advice of our council, made, constituted, and appointed, and by these presents do make, constitute, and appoint them our true and undoubted commissioners, plenipotentiaries, and deputies, giving and granting to them, or any two of them, full authority and power, and a general and special command, to treat, conclude, and determine with the said lord ambassador of the said most Serene King, of and concerning all the premises, under such regulations, heads, forms, promises, restrictions, and securities, which they shall think requisite for the due observation of the conventions. And whatsoever our said commissioners shall agree and conclude with the said lord ambassador, we promise bona fide (obliging ourselves and our successors by these presents) to observe, perform, and ratify in every point, in the best manner possible, as if we ourselves were present. In witness whereof we have signed these presents with our own hand, and caused our great seal  
of



of England to be affixed to them. Given at our palace of Westminster the 15th day of July, O. S. Anno 1656. OLIVER, P.

*The Commission of his most Serene Royal Majesty of Sweden.*

WE Charles Gustavus, &c. &c. do certify and make known, that whereas it is natural to those who are in the most sincere friendship, to desire that the same may be improved and increased every day; and whereas it is for the common interest of our kingdom, and of the republic of England, Scotland, and Ireland, and of our good friend the most Serene and most High Oliver Lord Protector of that republic, and the dominions thereof, that we should concert a closer league than what has been hitherto, especially at this time, when it is very manifest that many persons are conspiring our destruction:

We have therefore given it in command, as we do by these presents in the best form command and commission our well-beloved Lord Christiern Bonde, &c. our ambassador extraordinary, a man of known prudence, circumspection, and probity, to treat, stipulate, and conclude a stricter league between us, and all things thereunto appertaining, with those persons who shall be deputed with full powers for that purpose, on the part of the Lord Protector, and of the said republic. And whatsoever our abovenamed ambassador extraordinary shall transact, conclude, and establish with the plenipotentiaries of the Lord Protector and of the said republic, shall by us be ratified and performed to all intents and purposes. In witness and confirmation whereof, we have commanded these presents, signed by our own hand, to be sealed with our great seal. Given at our palace of Stockholm the 15th day of June, 1656.

CHARLES GUSTAVUS.

*Cantbersteen.*

In

In witness of all and singular the premises, we the commissioners of the most Serene and the most High Protector of the republic of England, Scotland, Ireland, &c. by virtue of our aforesaid commission, or full powers, have signed the present treaty, consisting of eleven articles, with our hands, and sealed it with our seals. Done at Westminster July 17, Anno 1656.

*A Convention relating to the second Article in the Treaty betwixt Sweden and England. Done at Westminster July 17, Anno 1656.*

WHEREAS in the second article of the treaty concluded at Westminster, anno 1656, betwixt England and Sweden, it is declared as a point agreed and ratified by the commissioners of the most Serene Protector, and by the lord ambassador of the most Serene King of Sweden, that only the goods, merchandize, and other things mentioned in that article, should hereafter be deemed as contraband, and publicly prohibited. And whereas the most Serene Lord Protector has proposed by his commissioners, and has stipulated with the aforesaid ambassador extraordinary, that as long as the war continues betwixt the English and the Spaniards, none of the goods and merchandize following shall, under a penalty to be hereafter expressed, be carried from the dominions of the most Serene King of Sweden, to any part of the Spanish dominions; and whereas to the intent that this might be granted with the more ease, it has been also proposed that a conference should be held for ascertaining the price to be given by the English merchants, for all those goods which shall come from the Swedish dominions; and whereas the aforesaid ambassador said he could not give his consent to the said demand, because he had it not in his instructions from his most Serene King, and therefore left it entirely to the discretion of his most Serene Majesty; it is declared by this writing, that the said second article, if the most Serene King will agree to and ratify it, shall be only ratified upon this condition, That as long as the war continues

continues betwixt the republic of England and the Spaniards, neither his Swedish Majesty, nor any of his people, shall carry pitch, tar, hemp, cables, sail-cloth, or masts, to any places in the dominions of Spain, but on the contrary, the said King shall most expressly forbid it; and if any such merchandize shall be carried thither contrary to this agreement, the same shall be liable to be seized by, and forfeited to the English. Wherefore it is most expressly provided, that if the said King shall not consent to it, then all the said second article relating to contraband goods (as also the third article which depends thereupon) shall immediately become of no force, and the question relating to the specification of contraband goods, shall remain in the state that it was before the time there was any treaty about it at London; nevertheless the rest of the articles shall remain in full force. And moreover, it is agreed and concluded on both sides, by virtue of the several powers granted to them, that although the present article be not inserted in the said treaty, it shall be of the same force and virtue as the treaty itself. Done at Westminster, July 17, 1656.

*Nathaniel Fiennes,* (L. S.)

*Bulstrode Whitlock,* (L. S.)

*Walter Strickland,* (L. S.)

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[The following Treaty of 1661 is printed from the Supplement to the Treaties 1772, collated with the original, and freed from several errors.]

*The Treaty of Alliance concluded between Charles II. his Royal Majesty of Great Britain, and Charles XI. his Royal Majesty of Sweden, for the confirmation of their friendship, and for the mutual security of their dominions and trade. Done at Whitehall, October 21, 1661.*

WE, Charles, by the grace of God, King and Hereditary Prince of the Swedes, Goths, and Vandals,

dals, Great Prince of Finland, Duke of Schonen, Esthonia, Livonia, Carelia, Bremen, Verden, Stetin, Pomerania, Cassuben, and Vandalia, Prince of Rugen, Lord of Ingria and Wismar, also Count Palatine of the Rhine, Bavaria, Juliers, Cleves, and Bergen, &c. desire to make known to all and singular the persons whom it doth, or whom it may, in any manner whatsoever concern. Whereas we lately sent to England our ambassador extraordinary, as we did before him our envoy extraordinary, plenipotentiaries, in order to renew the antient friendship, and to make a mutual league with the most serene and most potent Prince, our dearest brother, cousin, friend, and ally, the Lord Charles the Second, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. And they having in like manner found a singular inclination in the said King to the common union and strict amity of the two kingdoms, it came to pass that when commissioners were appointed also on his part, and vested with full powers to consolidate a friendship, and conclude a league, several congresses and debates were held at London; in which the negociation was so far promoted, that the following treaty, and the articles therein contained, were agreed upon in due form.

After it had seemed good to the most serene and potent Prince and Lord, Charles, by the grace of God, King and Hereditary Prince of the Swedes, Goths, and Vandals, Great Prince of Finland, Duke of Schonen, Esthonia, Livonia, Carelia, Bremen, Verden, Stetin, Pomerania, Cassuben, and Vandalia, Prince of Rugen, Lord of Ingria and Wismar, also Count Palatine of the Rhine, Duke of Bavaria, Juliers, Cleves, and Bergen, &c. to confirm and establish the exercise of that most strict amity and mutual commerce which has continually existed for so many ages between the famous kingdoms of Sweden and England, with new laws, especially at this time when the most serene and most potent Prince and Lord, the  
Lord

Lord Charles the Second, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. was most happily restored to his ancient kingdoms; and for that end, his aforesaid Royal Majesty of Sweden sent his Excellency Nicholas Brahe, Senator of the Kingdom, Admiral and Counsellor of the College of Admiralty, Count in Visingburg, Lord Baron de Cajana, Lord de Ridoboholm and Scaffnege, &c. as Ambassador Extraordinary to his Royal Majesty of Great Britain, to the end that when he had performed the solemn office of congratulation, he might put the last hand to the treaty of mutual friendship and commerce, the form and tenor of which had been already settled between the most noble John Frederick de Frisendorf, Lord in Herdick and Kirup, &c. Privy Counsellor of his Swedish Majesty, and formerly commissioned to treat of this affair in quality of ambassador extraordinary to his Sacred Royal Majesty of Great Britain, and the lords commissioners particularly deputed to this purpose by his Sacred Royal Majesty of Great Britain. And whereas his Sacred Royal Majesty of Great Britain, favouring the same propension and inclination, solemnly appointed the most noble Lords of his Royal Majesty's Privy Council, viz. Thomas Earl of Southampton, Lord High Treasurer of England, John Lord Roberts, Lord Privy Seal, Edward Earl of Manchester, Lord Chamberlain of the King's Household, George Earl of Norwich, Captain of the Royal Band of Pensioners, Arthur Earl of Anglesey, Frederick Lord Cornwallis, Treasurer of the King's Household, Anthony Lord Ashley, Chancellor of the Exchequer, Sir George Carteret, Baronet, Vice-Chamberlain of the King's Household, Sir Edward Nicholas, Knight, and Sir William Morrice, Knight, two of his Majesty's principal Secretaries of State, to treat of this affair; the ambassador and envoy aforesaid met them, and after divers consultations on both sides, the following articles were at length, by God's blessing, clearly,

clearly, perspicuously, and irrevocably agreed to on both sides.

I. In the first place, it is concluded and agreed, that hereafter there be and remain a good, sincere, firm, and perpetual peace, friendship, good-will, and correspondence, so that both parties may carry it to each other with the sincerest love and affection.

II. The said confederates and their dominions, subjects, people, and inhabitants, shall, on all occasions, take care of and promote each other's advantage; and shall also certify one another of any dangers threatened, and conspiracies and machinations formed by the enemies of either, and shall oppose and hinder them as far as lies in their power. Nor shall it be lawful for either of the confederates, by himself, or by any other persons whomsoever, to negotiate or attempt any thing to the hurt or disadvantage of the other's lands or dominions whatsoever, any where, either by land or sea; nor shall he by any means protect the enemies or rebels to the prejudice of the other confederate, nor receive or admit into his dominions any rebel or traitor, who shall make any attempt against the estate of the other; much less shall he afford them any advice, aid, or countenance, or suffer any advice, assistance, or favour to be given them by his subjects, people, and inhabitants.

III. The said kings and kingdoms shall with all candour and diligence take all the care possible, that the impediments which have hitherto interrupted the freedom of navigation and commerce, not only between both nations, but also throughout the dominions, countries, seas, and rivers of both, with other people and nations, be removed. And they shall sincerely endeavour to assert, establish, defend, and promote the aforesaid freedom of navigation and commerce on both sides, against all disturbers of it whomsoever, by the methods agreed on in this treaty, or by such as may hereafter be agreed on; and shall not suffer

suffer any thing to be done or committed contrary to this treaty, either by themselves or by their subjects and people, either by their own, or any one else's fault.

IV. It shall be free for both of the said confederates, and their inhabitants and subjects, to enter by land or sea, or by any other manner of way, into the kingdoms, countries, provinces, territories, islands, cities, villages, towns walled or unwalled, fortified or unfortified, harbours, dominions, or jurisdictions whatsoever, freely and securely, without any license or safe-conduct, general or special; and there to pass and repass, to reside therein, or to travel through the same, and in the mean time to buy provisions and all necessaries, and for hire acquire every convenience; and they shall be treated with all manner of civility. It shall be lawful also for both of the confederates and their subjects, citizens, and inhabitants, to trade, traffic, and exercise commerce in all places wheresoever commerce has been at any time hitherto used, and in whatsoever goods and merchandize they please, provided they are not contraband; and they shall have leave to import and export them at discretion, the due customs being always paid, and the laws and ordinances of both kingdoms, whether relating to merchandize or any other right, always observed. Which things being presupposed, the people, subjects, and inhabitants of one of the confederates shall have and hold in the countries, lands, dominions, and kingdoms of the other, such full and ample privileges, and as many exemptions, liberties, and immunities, as any foreigner whatsoever doth or shall enjoy in the said dominions and kingdoms on both sides.

V. Neither the merchants, captains of ships, masters, mariners, or other persons whatsoever, nor the ships or any goods and merchandize of either of the confederates, or his subjects or inhabitants, shall in any public or private name, by virtue of any general or special edict, be seized or laid under embargo in  
any

any of the countries, harbours, roads, shores, or dominions whatsoever, of the other confederate, for the public use, military expeditions, or for any other cause, much less for any one's private use; nor be compelled by any manner of violence, nor in any wise molested or injured. Provided only, that such embargoes as are agreeable to law and equity be not prohibited, if they are made according to the ordinary forms of law, not for the sake of indulging any one's private resentment, and are indispensably necessary for the administration of right and justice.

VI. But if one or more ships of either of the confederates, their subjects, citizens, or inhabitants, whether ships of war or private merchantmen, are drove by storms, pirates, enemies, either public or private, or other urgent necessity, into the harbours, havens, or upon any of the coasts whatsoever of the other confederate, they shall be received courteously, and with all civility, and enjoy friendly protection without being in any respect hindered from the means of refitting entirely, and from purchasing whatever they want for their provision, repair, and conveniency, at the market price. Nor shall they on any account be prohibited to depart in like manner from such port and haven when they please, without paying the duties and customs; so long as nothing be done or committed contrary to the statutes and ordonnances of the place to which the said ships shall be carried, or where they shall stay.

VII. For the like reason, if any one or more ships, public or private, of either of the confederates, or his subjects and inhabitants, have run ashore, been cast away, or (which God forbid) suffered any wreck, or loss whatsoever, or shall suffer any hereafter, the sufferers shall be kindly and friendly relieved, and have such assistance for a reasonable hire, that whatsoever remains of the loss, wreck, or other damage, may be preserved and restored to the owners and proprietors;



provided they or their attornies or proctors lay claim to the said ships and goods within twelve months after the wreck happened; saving always the laws and customs of both nations.

VIII. That if the subjects and inhabitants of either of the confederates, whether they be merchants with their factors, servants, captains, and masters of ships, mariners, or whether they are travellers or residents in the dominions of the other confederates, or agents in their name in any court of justice, either for the recovery of their debts, or other lawful reasons, if they want the assistance of the magistrates they shall have it with speed, and according to the equity of the cause, and justice shall be administered without tedious and unnecessary delays. They shall in no sort, nor under any pretence, be hindered, but find all the most friendly offices in the dispatch of their affairs, in the purchase and sale of goods, in the payments to be made for them, and hire to be given, and in performing their journies. It shall also be free for them on both sides, as they pass, repass, or walk on the shores, or to and from the ships, harbours, and public places of either confederate, to carry arms in their own defence; provided they do not give the governors and magistrates of any place whatsoever, any just suspicion that they are in a plot against the peace of the public, or of private persons. And whosoever behaves modestly, shall in a special manner be protected from all injury, violence, and trouble.

IX. It shall be lawful for the said confederates, and the people and subjects of both, to buy and export out of the respective countries, dominions, and kingdoms of either, all manner of arms and military equipage, and safely and freely to navigate or carry their ships to any ports, havens, and shores of either, there to stay, and thence to depart: provided they behave modestly, peaceably, and agreeably to the laws and customs of each place, and do not in any respect hinder the freedom

dom of commerce. In like manner, men of war and guardships shall have free access to the ports, havens, or rivers, of the other confederate; and it shall be free for them to cast anchor, stay, and depart from thence without any injury or molestation, provided these conditions are observed:

1. That the squadron to be carried into the harbour of the confederate, shall not exceed the number of five or six ships, without giving notice thereof beforehand.

2. That the commander of the squadron, and ships, shall without delay exhibit his letters of safe-conduct to the governor or magistrate of the castle, fort, city, or province, wheresoever they arrive, and give notice of the reason of his coming, and for what end, and how long he designs to stay in that port or haven.

3. That such ships shall not come or stay nearer to those forts than is convenient.

4. That the mariners, ships' companies, and soldiers, shall not go ashore in bodies above forty at a time, nor in any number that may give suspicion.

5. That while they are there, they shall not do any damage to any person, not even to their enemies; and above all, shall not stop or obstruct the passage of any merchant-ships whatsoever, into or out of the harbour.

6. That they shall not go out of the haven for the sake of infesting the navigation of any nation whatsoever.

7. That they shall in all respects live and behave modestly, and conformably to the laws and customs of every place, and special regard to the reciprocal friendship between the confederates. If either of the confederates shall think it advantageous, or necessary, to enter the ports of the other confederate with a greater number of ships, and to enjoy the conveniences thereof, he shall signify the same to his confederate two months beforehand, during which time, the ways and means of admitting the same shall be settled; but if the ships of either are drove into the ports of the

other, for avoiding tempests or enemies, in such case the reason of their coming shall be notified to the governor or chief magistrate of the place, nor shall they stay there longer than the time granted by the governor or chief magistrate; a regard being always had to the laws and conditions aforesaid in this article.

X. It shall be lawful for any of the subjects and inhabitants of Sweden whatsoever, to travel in England and all the dominions thereof, and to pass through the same by land or sea at pleasure, to any other nations whatsoever, and to institute commerce with them, and freely to traffic in all kinds of merchandize, and the same to carry thither and export from thence; and the subjects of the King of Great Britain shall enjoy the same liberties in the kingdoms, dominions, and territories of the King of Sweden, on condition that the laws, ordonnances, and peculiar prerogatives of every nation, relating to commerce and merchandize, be observed on both sides.

XI. Although the foregoing articles of this treaty, and the laws of friendship do forbid, that either of the confederates shall give aid and supplies to the enemies of the other, yet it is by no means to be understood that that confederate, with his subjects and inhabitants, who is not a party in war, shall be denied the liberty of trade and navigation with the enemies of that confederate who is involved in such war; provided only that no goods called contraband, and especially money, no provisions, nor arms, nor bombs with their fuses and other appurtenances; no fire-balls, gun-powder, matches, cannon-ball, spears, swords, lances, pikes, halberts, guns, mortars, petards, grenadoes, musket-rests, bandaliers, salt-petre, muskets, musket-bullets, helmets, head-pieces, breast-plates, coats of mail, commonly called cuirasses, and the like kind of arms, nor troops, horses, or any thing necessary for the equipment of cavalry, nor pistols, belts, or any other instruments of war, nor ships of war, and guard-ships,  
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be carried to the enemies of the other confederate, under the penalty; that if either of the confederates shall seize the same as a booty, the same shall be absolutely retained. Nor shall either of the confederates permit that the rebels or enemies of the other be assisted by the endeavours of any of his subjects, or that their ships be sold, lent, or in any manner made use of by the enemies or rebels of either, to his disadvantage or detriment. But it shall be lawful for either of the confederates, and his people or subjects, to trade with the enemies of the other, and to carry them any merchandize whatsoever (excepting what is above excepted) without any impediment; provided they are not carried to those ports or places which are besieged by the other, in which case they shall have free leave either to sell their goods to the besiegers, or to repair with them to any other port which is not besieged.

XII. For the evading of all suspicion and collusion, lest the free navigation or intercourse of one of the confederates and his subjects, and inhabitants by land or sea, with other nations, while the other confederate is at war, should be carried on to the prejudice of the other confederate, and lest the enemies goods and merchandize should be concealed under the disguise of the goods of friends, it is stipulated that all ships, carriages, wares, and men, belonging to the other of the confederation, shall be furnished in their journies and voyages with safe-conducts, commonly called passports and certificates, such as are underwritten, verbatim, signed and subscribed by the chief magistrate of that province and city, or by the chief commissioners of the customs and tolls, and specifying the true names of the ships, carriages, goods, and masters of the vessels, as also the exact dates, together with other descriptions of that sort, as are expressed in the following form of a safe-conduct and certificate. Wherefore if any person shall affirm, upon the oath by which he is bound to the King, state,

or city, that he has given in true accounts, and be convicted on sufficient proof, that any fraud has been concealed under his affirmation, by his consent, he shall be severely punished as a transgressor of the said oath.

We *N. N.* governor or chief magistrate, or the commissioners of the duties and customs of the city or province of *N.* [the title or office of the respective government of that place being added] do make known and certify, that on the        day of the month of        in the year of        *N. N. N.* citizens and inhabitants of *N.* and subjects of his Sacred Royal Majesty of Sweden, or of his Sacred Royal Majesty of Great Britain, personally appeared before us in the city or town of *N.* in the dominions of his Sacred Royal Majesty of Sweden, or of his Sacred Royal Majesty of Great Britain, [as the case shall happen] and declared to us upon the oath, by which they are related and bound to our Most Gracious Sovereign, his Sacred Royal Majesty of Sweden, and to our city, or to his Sacred Royal Majesty of Great Britain, and to our city, that the ship or vessel called *N.* of about        lasts or tons, belongs to the port, city, or town of *N.* in the dominions of *N.* and that the said ship does rightfully belong to him or other subjects of his Sacred Royal Majesty of Sweden, or his Sacred Royal Majesty of Great Britain, that she is bound directly from the port of *N.* to the port of *N.* laden with the following merchandize, viz. [here shall be specified the goods, with their quantity and quality; for example, about so many chests or bales, about so many hogsheads, &c. according to the quantity and condition of the goods] and affirmed on the oath aforesaid, that the said goods and merchandize belong only to *N.* one of the subjects of his Sacred Royal Majesty of Great Britain; or to *N.* of *N. N. N.* [or expressing whatever other nation they are subjects of] and that *N. N. N.* declared upon their said oath, that the said goods above specified, and no others, are already put on board, or are to be put on board the abovenamed ship for the said voyage, and that no part

of those goods belongs to any other person whatsoever but those abovementioned; and that no goods are disguised or concealed therein by any fictitious name whatsoever, but that the wares abovementioned are truly and really put on board for the use of the said owners, and no others, and that the captain of the said ship named *N.* is a citizen of the city of *N.* Therefore, whereas after strict examination by us [the governor or chief magistrate or commissioners of the duties and customs of the city aforesaid] it fully appears that the said ship or vessel, and the goods on board the same, are free, and do truly and really belong to the subjects of his Sacred Royal Majesty of Sweden, or of his Sacred Royal Majesty of Great Britain, or to the inhabitants of other nations as aforesaid, we do most humbly and earnestly require it of all and singular the powers by land and sea, kings, princes, republics, and free cities, also of the generals of armies, admirals, commanders, officers, and governors of ports, and all others to whom the custody of any harbour or sea is committed, which happen to meet this ship in her voyage, or if she chance to fall in, among, or pass through their squadrons, or to stay in their harbours, that for the sake of the treaties and friendship which subsist respectively between them, or whoever are his superiors, and his Sacred Royal Majesty our Most Gracious Sovereign the King of Sweden, or his Sacred Royal Majesty our Most Gracious Sovereign the King of Great Britain, that they will not only permit the said captain with the ship *N.* and the men, goods, and merchandize to her belonging, to prosecute her voyage freely, without lett or molestation, but also, if he think fit to depart out of the said harbour elsewhere, that they will shew all kind offices to him, and his ship, as a subject of his Sacred Royal Majesty of Sweden, or of his Sacred Royal Majesty of Great Britain, as they shall in like manner experience the same from his Sacred Royal Majesty of Sweden, or from his Sacred Royal Majesty of Great Britain, and from all his minis-

ters and subjects, in the like, or any other case. In witness whereof we have taken care that these presents, signed by our own hands, be sealed with the seal of our city. Given, &c.

Therefore, when the merchandize, goods, ships, or men, of either of the confederates, and his subjects and inhabitants, shall meet, or be met in the open sea, streights, in harbours, havens, countries, or other places whatsoever, by men of war or privateers, or by the subjects and inhabitants of the other confederate, after producing only their safe-conducts and certificates aforesaid, nothing farther shall be demanded of them, no enquiry whatsoever shall be made into the goods, ships, or men, much less shall they be injured, damaged, or molested, but shall be freely let go to prosecute their voyage and purpose. But if this solemn and stated form of the certificate be not produced, or there be any other just and urgent cause of suspicion, then this ship ought to be searched, which shall only be deemed justifiable in this case, and not otherwise. If any thing be done by either party contrary to the genuine meaning of this article, both of the confederates shall take care that the severest punishment, due to the most heinous crimes, be inflicted on such of his subjects and inhabitants as are the offenders, for their contempt and transgression of the Royal commands; and that plenary and immediate satisfaction be made to the injured confederate, his subjects and inhabitants, for all loss and expences.

XIII. Neither of these confederates shall suffer the ships, vessels, goods, or merchandize of the other, or of his people or subjects, which are taken at sea, or elsewhere, by enemies or rebels, to be brought into his ports and dominions, but shall publicly forbid any thing of that kind to be done. And if any ships, vessels, goods, and merchandize of either, or his people or subjects taken at sea, or elsewhere, shall be carried into the ports or countries of the other, by any enemy  
or

or rebel of the confederates, or either of them, such confederate shall not suffer the same, or any part thereof, to be sold in that port, or any other place in their dominion; but shall take care that the master of the ship, or vessel, so taken, as also the mariners and passengers, shall, as soon as they arrive, be immediately set at liberty, together with as many prisoners, subjects of either kingdom, as shall be brought thither; nor shall he permit the said ship and vessel to stay in that harbour, but shall command the said ship, with her goods, merchandize, and lading, immediately to leave the port. Provided nevertheless, that nothing in this article be turned to the prejudice of the alliances formerly entered into by either of the confederates with other nations; and where these things do not interfere, the above article shall remain in full force.

XIV. If it shall also happen hereafter, while this friendship and alliance subsists, that any of the people and subjects of either of the confederates does or endeavours any thing contrary to this treaty, or any part thereof, by land, sea, or in any waters, this friendship, treaty, and covenant, between the said confederates, shall not on that account be interrupted or dissolved, but shall nevertheless continue and remain entire. And those private persons only shall suffer punishment who shall violate this treaty; and they who receive injury, shall have right and justice administered, and satisfaction made to them for all their loss and injury, within twelve months after the demand of such restitution. But if such delinquents and persons, guilty of the violence committed, shall refuse to appear and submit to justice, or to make satisfaction within the term aforesaid, whoever they are, they shall be renounced as enemies of both states, and their substance, goods, and possessions, what and how great soever they are, shall be forfeited and exposed to sale, towards making full and just satisfaction for the injuries which they have committed; and the offenders themselves, when they  
come



come into the jurisdiction of either state, shall, moreover, suffer condign punishment according to the nature of the crime.

XV. The present treaty and confederacy shall derogate nothing from any pre-eminence, law, and dominion whatsoever of either of the confederates, in any of their seas, firths, and waters whatsoever, but they shall have and hold the same in as ample a manner as they have hitherto enjoyed them, and as to them of right appertains.

XVI. Whereas, therefore, it is the principal end of this treaty, that such a freedom of navigation and commerce as is described in the foregoing articles may be and remain on both sides, to both the confederates, their subjects and inhabitants, in the Baltic, the Sound, the Northern, Western, British, and Mediterranean seas, and the Channel, and all the other seas of Europe, both sides shall sincerely contribute their joint advice, aid, and assistance, that the said mutual freedom of navigation and commerce may be established in all the said seas and firths, and (if there be occasion) that it be defended against all disturbers who shall offer to interrupt, prohibit, hinder, or constrain it for their own pleasure, and for the sake of injuring the confederates: and both of the said confederates shall, in the most courteous manner, shew their good-will and readiness for promoting the advantages, and lessening the inconveniences of the other confederate; saving nevertheless, those treaties heretofore entered into by both nations with other kingdoms, republics, and states, which shall subsist in full force. But hereafter neither of the confederates shall by any means enter into a treaty, or make any contract with other foreign nations and people whatsoever, to the prejudice of the present treaty in any respect, without the previous knowledge and consent of the other confederate: and if any thing be otherwise stipulated hereafter with others, it shall be reckoned

reckoned null and void, and altogether give place to this mutual convention.

XVII. And these things which we have agreed to in the foregoing articles, shall immediately from this instant be in full force, and sincerely and duly observed by both parties, and by all persons who are engaged to either by obedience, duty, and allegiance. And to the end that the said articles may be and remain the more stable and firm hereafter, they shall within the space of six months be signed, sealed, and ratified, by the hands and seals of our Most Gracious Sovereign his Sacred Royal Majesty of Sweden, and his Sacred Royal Majesty of Great Britain.

In witness and confirmation of all and singular the premises, the present treaty has been signed and sealed with the hands and seals of the Ambassador Extraordinary of his Sacred Royal Majesty of Sweden, and also of his Envoy. Done at Whitehall, the 21st day of October, 1661.

*Nicholas Brabe,* (L. S.)

*J. F. a Frisendorff,* (L. S.)

We, therefore, Charles, by the grace of God King and Hereditary Prince of the Swedes, Goths, and Vandals, Great Prince of Finland, &c. have commended, approved, and ratified, as we do by these presents commend, approve, and ratify, in the best manner, the articles above expressed and inserted in the instrument of the treaty, as made in pursuance of our commands; promising on our Royal word, and in the name of ourselves and the Kings our successors, that we will inviolably, and *bonâ fide* observe and perform them, and that we will not suffer them to be violated in any measure, by our own subjects or others whomsoever. In witness whereof we have commanded these presents, signed by our most honoured and dear Mother, and by our other Administrators respectively, to be

be sealed with our great seal. Done at Stockholm,  
anno 1661.

*Hedwig Eleonora*, (L. S.)

*Peter Brabe*, Count in Vifingburg, Droffart of  
the kingdom of Sweden.

*Magnus Gabriel de la Gardie*, Chancellor of the  
kingdom.

*Gustavus Banerius*, Deputy Marshal of the king-  
dom.

*Claudius Bielkenstierna*, Vice Admiral of the king-  
dom.

*Gustavus Bondt*, Treasurer of the kingdom.

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[The following Treaty of 1766 is printed from an  
authentic copy.]

AU nom de la très Sainte Trinité. Leurs Majestés  
le Roi de la Grande Bretagne et le Roi de Suede  
n'ayant rien de plus à cœur que de cimenter et  
d'affermir de plus en plus entr'elles leurs Royaumes et  
Sujets, cette ancienne amitié et confiance sincere qui  
depuis les tems les plus reculés a toujours subsisté en-  
tre leurs Couronnes et leurs Sujets, et de contribuer en  
tout ce qui depend d'elles à des vues aussi salutaires  
que celles qui ont toujours fait la base de leurs liai-  
sons, leurs Majestés ont jugé à-propos de nommer et  
d'autoriser leurs Commissaires respectifs : Savoir, de la  
part de Sa Majesté le Roi de la Grande Bretagne, son  
Envoyé Extraordinaire à la Cour de Suede M. le Che-  
valier Jean Goodricke, Baronet d'Angleterre ; et de la  
part de Sa Majesté le Roi de Suede, Son Excellence M.  
le Comte Charles Gustave de Lowenhielm, Senateur  
du Roi et du Royaume, President du Conseil Royal de  
la Chancellerie, Chancelier de l'Université de Lund,  
Chancelier, Chevalier et Commandeur des Ordres du  
Roi ; Son Excellence M. le Baron Charles de Lagen-  
berg, Senateur du Roi et du Royaume, President de  
la Commission Nomothetique, Chevalier et Comman-  
deur des Ordres du Roi ; Son Excellence M. le Baron

Frederic Friefendorff, Sénateur du Roi et du Royaume, Conseiller du Conseil Royal de la Chancellerie, Chevalier et Commandeur des Ordres du Roi; Son Excellence M. le Comte Adam de Horn, Sénateur du Roi et du Royaume, Grand Maréchal de la Cour, Chevalier et Commandeur des Ordres du Roi; Son Excellence M. Axel de Lagerbielcke, Sénateur du Roi et du Royaume, et Commandeur de l'Ordre de l'Épée; comme aussi M. le Baron Joachim de Dieben, Secrétaire d'État, Chevalier de l'Ordre de l'Étoile du Nord, et Secrétaire des Ordres du Roi, et M. Charles de Lagerflycht Conseiller du Conseil Royal de la Chancellerie; lesquels, après avoir réciproquement communiqué et échangé leurs pleins pouvoirs, sont convenus, au nom et de la part de leurs susdites Majestés, des articles suivans d'un traité d'alliance et d'amitié.

I. Les deux hauts Alliés s'engagent, pour eux, leurs héritiers et successeurs, et leurs Sujets respectifs, de vouloir, comme de bons et fidèles amis et alliés, se procurer mutuellement tout le bien, avantage et considération possible, et de contribuer de l'un côté et de l'autre à tout ce qui pourra servir à resserrer de plus en plus les noeuds d'une amitié sincère et permanente.

II. Les Sujets des deux Puissances jouiront réciproquement, dans les royaumes, ports, rades, rivières, &c. de l'une et de l'autre, de tous les droits, avantages et immunités dont jouissent ou pourront jouir ci-après les nations les plus favorisées, excepté dans le cas contenu dans le 3<sup>me</sup> article du traité préliminaire de commerce conclu entre les couronnes de Suede et de France, le 1<sup>er</sup> d'Avril 1741, concernant les droits à payer dans le port de Wismar.

III. Ce traité d'amitié ne tendra à l'offense de qui que ce soit, et encore moins à celle des amis et alliés des hauts contractans, mais servira uniquement à fortifier et à consolider l'amitié et la confiance réciproque entre les deux Rois, de même que la tranquillité et le bien-être de leurs Royaumes et Sujets respectifs.

IV. Et

IV. Et afin que cette alliance d'amitié puisse contribuer de plus en plus au bien, à l'avantage et à la sûreté des deux Couronnes, leurs Majestés se concerteront entre elles, lorsque le tems et les conjonctures le permettront, sur des engagements ultérieurs relativement à leurs intérêts respectifs.

V. En attendant, leurs Majestés, les Rois de la Grande Bretagne et de Suede, s'engagent également, comme de fidèles amis et alliés, de se prêter réciproquement tous les bons offices que les circonstances pourroient exiger pour la sûreté de leurs Royaumes, Pays, Possessions et Sujets en Europe.

VI. Ce traité sera ratifié par leurs Majestés, le Roi de la Grande Bretagne et le Roi de Suede, et les ratifications seront échangées dans deux mois, ou plutôt, si faire se peut.

En foi de quoi nous avons, en vertu de nos pleins pouvoirs, signé les articles ci-dessus, et y avons apposé les cachets de nos armes. Fait à Stockholm le 5<sup>me</sup> de Fevr. 1766.

<i>J. Goodricke,</i> (L. S.)	<i>Carl. Gustaf Lowenhielm,</i> (L. S.)
	<i>Carl. Lagenberg,</i> (L. S.)
	<i>Fred. Friesendorff,</i> (L. S.)
	<i>Ad<sup>m</sup> Horne,</i> (L. S.)
	<i>A. Lagerbielcke,</i> (L. S.)
	<i>J. Von Dieben,</i> (L. S.)
	<i>C. Lagerflycht,</i> (L. S.)

## D E N M A R K.

1640.  
22 Apr. **T**HE treaty of commerce, and concerning the duties in the Sound, between Charles I. King of Great Britain, and Christian IV. King of Denmark, concluded at Flensburgh.  
*Pap. Off. F. 5.*  
*Board of Trade. Treaties.*
1654.  
25 Sept. The treaty of peace and alliance between Oliver Cromwell, and Frederick III. King of Denmark, concluded at Westminster.  
*Treat. 1732, vol. iii. p. 136.*  
*Treat. 1785, vol. i. p. 75.*  
*Trait. de Paix, tom. iii. p. 664.*
1665.  
29 Apr. The treaty of commerce between Charles II. King of Great Britain, and Frederick III. King of Denmark, with the secret article. *Pap. Off. F. 6.*
1665.  
28 Oct. The treaty of offensive and defensive alliance between Great Britain and Denmark, concluded at Copenhagen.  
*Pap. Off. F. 7.*
1670.  
21 July. The treaty of alliance and commerce between Charles II. King of Great Britain, and Christian V. King of Denmark.  
*Pap. Off. F. 8.*
1690.  
2 Nov. The treaty of defensive alliance between Great Britain, Denmark, and the States General, with the secret articles, concluded at Copenhagen.  
*Pap. Off. F. 10.*

1691. A provisional treaty of navigation and  
10 June. commerce between Great Britain and Den-  
mark. *Pap. Off. F. 11.*  
*Board of Trade, F. 65.*
1696. The treaty between Great Britain, Den-  
3 Dec. mark, and the States General, with the se-  
cret articles, concluded at the Hague.  
*Pap. Off. F. 15.*
1701. The treaty between Great Britain and the  
15 June. States General on the one part, and Den-  
mark on the other, with the secret article,  
concluded at Copenhagen.  
*Pap. Off. F. 16.*  
*Roussel's Suppl. Corps Diplomatique,*  
tom. ii. part 2, p. 6.
1720. The King of Denmark's order about the  
24 June. distribution of wreck in the territories of  
Denmark.  
*Pap. Off. F. 22.*
1727. The treaty of mutual defence between  
16 Apr. Great Britain, Denmark, and France, con-  
cluded at Copenhagen; with the separate and  
secret articles.  
*Pap. Off. F. 24.*  
*Roussel's Recueil Historique, tom.*  
iv. p. 244.  
*Treat. 1732, vol. iv. p. 167.*  
*Treat. 1785, vol. ii. p. 295.*
1734. The treaty between Great Britain and  
30 Sept. Denmark, with the secret articles, concluded  
at Westminster.  
*Pap. Off. F. 26.*
1739. The treaty between Great Britain and  
14 Mar. Denmark, with the secret articles, concluded  
at Copenhagen.  
*Pap. Off. F. 27.*

*The Treaty of Peace and Alliance between Frederick III. King of Denmark, and Oliver Cromwell, Protector of the Republic of England. Done at Westminster, Sept. 15, 1654.*

WHEREAS the most Serene and Potent Prince and Lord, the Lord Frederick III. by the grace of God, King of Denmark, Norway, the Vandals and the Goths, Duke of Sleswic, Holstein, Stormar, and Ditmarsh, Earl of Oldenburg and Delmenhorst, considering the many great ties of friendship and alliances, by which the Danish and English nations have been engaged to each other for so many ages past, and how convenient and necessary it is in every respect, that this friendship and confederacy should be corroborated and increased by farther reciprocal offices of friendship, did, for that end, send the noble Lord Henry Williamson Rosenwinge, governor of the monastery of Draxe Marchiensis, and his extraordinary deputy, to the most Serene Lord Oliver the Protector, and to the republic of England, Scotland, and Ireland; who, out of a desire and affection to concur to the same purpose, and to remove every impediment which might obstruct the preservation of a sincere and mutual friendship, and in any wise hinder the promoting of commerce on both sides, has been pleased to give it in charge to us the underwritten privy counsellors of his Highness, to treat with the said lord deputy; and by virtue of our commissions exhibited on both sides, and several conferences held from one time to another, we have at length agreed and concluded the following articles.

I. That from this day, there shall be a firm, entire, and sincere friendship, peace, and confederacy, as well by land as by sea, and on the rivers, between the King and kingdom of Denmark and Norway, and the Protector and republic of England, Scotland, and Ireland, and the dominions, countries, and cities under both their dominions, and the people, inhabitants, and sub-



jects of each, of what rank and dignity soever they be; so that neither party shall by themselves or others, do any thing directly or indirectly, or, as far as lies in their power, suffer any thing to be done, to the loss or detriment of the other, but the one shall assist the other with all good offices, and promote the advantage and benefit of the other to their utmost.

II. That there shall be a trade, navigation, and free commerce between the subjects of the King of Denmark and Norway, and the people of the republic of England, in the kingdoms, dominions, countries, provinces, emporiums, and harbours of either, according to the regulation which is hereafter more clearly explained. And the magistrates, and other governors and officers of places, shall use their greatest diligence that the same may be used and enjoyed on both sides, freely and securely, without any let or molestation.

III. The people, subjects, and inhabitants of both the confederates, of whatsoever degree or condition, shall treat one another in all things courteously and amicably, so that whenever they please, they may have free access by land or water to each other's countries, territories, towns walled or unwalled, fortified or not fortified, harbours, and dominions; and there, without any impediment, buy what provisions they want for their use, excepting those colonies, islands, harbours, and places under the jurisdiction of either, to which navigation or trade is prohibited, without special leave or license first obtained from the other party to which such colonies, islands, harbours, and places belong. But in all other places, it shall be entirely free for both nations to trade and traffic in whatsoever merchandize they shall think fit, and the same to carry, sell, or export when and whither they please; provided they pay the customs, and saving all the laws and statutes of either's dominions.

IV. That all offences, disputes, and controversies, arisen between the King of Denmark and the republic  
of

of England, or done and committed by either party, or the people and subjects of either, by reason or on account of the detaining of any English ships, together with their lading, in the Sound, since the 18th of September, 1652, shall, by virtue of this treaty, cease, and be condemned to perpetual oblivion, in such manner, that neither of the said parties shall prosecute or in any wise molest the other on account of such detainer, or for any injuries and damages thereby occasioned. Provided nevertheless, and be it understood, that this article shall not extend, nor be construed to extend, to the rescinding or weakening of that contract in the 28th and 29th articles of the late treaty of peace, between his Highness the Lord Protector, and the Lords the States General of the United Provinces, for restoring the ships therein mentioned, together with their lading, and making good the damages as therein expressed; but the said contract shall remain firm and intire, and shall be duly and truly performed and fulfilled, according to the proper and genuine sense and meaning of the said articles.

V. That neither of the said parties, nor the subjects or people of either, shall by land or sea, or elsewhere, act, do, endeavour, negotiate, or attempt any thing against the other, or the subjects and people of the other, nor give, lend, administer, or consent to the giving, lending, or administering of any assistance or favour to the fugitives or rebels of the other; but both parties shall expressly and effectually oppose, resist, and really hinder all and every person and persons living or residing in the dominions of either, or happening to be in the dominions of either the one or the other, who shall act, do, negotiate, or attempt any thing against the other. Nor shall either of the parties receive or suffer any of the rebels or fugitives of the other to be received in their dominions, territories, and countries, harbours, bays, or districts; nor shall give, lend, or grant to any such fugitives or rebels, either within or without their territories, lord-

ships, lands, harbours, bays, or districts, any aid, counsel, lodging, money, soldiers, ships, provisions, arms, &c. or permit or tolerate such things to be given, lent, or granted, by any persons whatsoever, living out of their dominions.

VI. That the people or inhabitants of the republic of England, sailing to any of the kingdoms, territories, or dominions whatsoever, of the King of Denmark and Norway, or trading to the same, shall not pay more or greater customs, tribute, toll, or other duties, or in any other manner, than the people of the United Provinces of the Netherlands, or other foreigners (the Swedes only excepted) trading thither, and paying the lesser customs, do or shall pay; and they shall enjoy all the other liberties, immunities, and privileges, in going, returning, and staying, as also in fishing or trading, as the people of any foreign nation whatsoever, trading in the said kingdoms and dominions of the King of Denmark and Norway, do or shall enjoy; and the subjects of the King of Denmark and Norway shall use or enjoy the same privileges, in all the dominions and countries of the republic of England.

VII. If the subjects and inhabitants of either of the confederates, with their ships, are compelled, either by pirates, or by strefs of weather, or by any other inconveniency, to seek shelter in the rivers, friths, bays, or harbours of the other confederate, it is agreed that they shall be courteously and kindly treated by the magistracy and inhabitants of the place; and it shall be lawful for them to furnish themselves with what necessaries they want for rigging their ships, at the market-price, and from thence freely to put to sea again, without any hindrance and search, and without paying any toll or custom. Provided they put none of their goods or bales ashore, or expose them to sale, nor receive on board any persons guilty or suspected of crimes, or any contraband goods; nor, in fine, do any thing that may

may be repugnant to the laws, statutes, or customs of such place and harbour to which they arrive.

VIII. If the ships of either of the confederates, his subjects and inhabitants, whether they are men of war or merchant ships, happen to run ashore, or in any case whatsoever (which God forbid) to suffer wreck on the coasts of the other party, the said ships, with all their rigging, goods, and merchandize, or whatsoever shall be left of them, shall be restored to the masters and proprietors, provided they or their plenipotentiaries or attorneys lay claim to the said ships and goods within a year after such shipwreck happens; and the subjects or inhabitants living on such shores and coasts shall be obliged to give present succour and relief to those that are in danger, to the utmost of their power, and shall use all their endeavour either to set the ship free, or to save her goods, merchandize, rigging, and every thing else in their power from being cast away, and convey the same to a safe place, that they may be restored to the owners, on condition that they pay the charges, and such rewards as they shall deserve, by whose labour and diligence the things and goods were recovered and secured.

IX. Both parties shall cause justice and equity to be administered to one another's people and subjects, according to the laws and statutes of each country, speedily, and without tedious and unnecessary formalities and expences, in all causes and controversies now depending, or that may arise hereafter.

X. That if any thing shall happen to be done, or attempted, by any of the subjects and inhabitants of the King of Denmark, or of the people and inhabitants of the republic of England, contrary to this treaty, or any member thereof, by land, sea, or the fresh waters, this alliance, friendship, and union between the parties aforesaid shall not therefore be interrupted or infringed, but shall nevertheless remain intire, and be in full force, and those persons only who shall act con-

trary to the said treaty shall be punished, and none other; and justice shall be done, and satisfaction given to those whom it concerns, by all those, who, by land, sea, or other waters, act any thing contrary to this alliance, within the space of a year after justice shall be demanded. But if the breakers of the treaty do not appear, nor surrender themselves to trial, nor give satisfaction within the term mentioned, those very persons shall be deemed enemies to both the parties; and, as far as the laws and statutes of every country and place will permit and authorize, all their goods, estates, and revenues whatsoever, shall be confiscated and sold, to make full and just satisfaction for the injuries by them committed, and their persons shall be liable to those punishments which their respective crimes deserve.

XI. It is also agreed and concluded, that the ships of the inhabitants of the republic of England, together with their lading and merchandize, which sail beyond the fort of Gluckstadt, or any other places and towns under the dominion of the King of Denmark, situate on the bank of the river Elbe, shall, both going and returning, be free and exempt from all tribute, toll, search, stoppage, or molestation.

XII. That firs, masts, and the other sorts of timber, after they are put on board the ships of the inhabitants of the republic of England, shall be subject to no farther visitation, but all visitation or search shall be made beforehand; and if there be then found any prohibited timber, the same shall be stopped on the spot, before it is carried on board the ships. Nor shall the persons or goods of the people of the said republic be for this cause arrested, or in any wise molested by being in any manner detained; and only the subjects of the King of Denmark, who shall presume to sell and alienate such prohibited timber, shall be duly punished for the offence.

XIII. For the greater security of commerce, and the liberty of navigation, it is agreed and concluded, that neither party shall, if it be in their power, permit common pirates, or other robbers of this sort, to harbour in any parts of the other's kingdom or country, nor shall suffer any of the inhabitants or people of the other, to receive or assist them in reality, or by countenance, but on the contrary, shall do their endeavour that the said pirates or robbers, and their piratical partners and accomplices, be apprehended and brought to condign punishment; and that the ships and the merchandize, as much of it as can be found, be restored to their lawful owners, or their attornies, provided their right appear from due proofs according to law in the proper courts.

XIV. It is agreed that there shall be always free access for the subjects and people of either of the parties to the harbours and coasts of the other confederate, and it shall be lawful for them to stay therein, and to return from thence, not only with merchant ships, and ships of burthen, but also with men of war, whether they are ships of the state, or such as are privately commissioned, whether they are drove in by stress of weather, or for avoiding the danger of the sea, whether to repair their ships, or to buy provisions. Provided they do not exceed the number of six men of war, if they enter of their own accord, nor stay longer in or about the harbours than shall be needful for the repair of the ships, buying provisions, or for other necessary occasions. And if upon occasion they shall offer to go to such ports with a greater number of men of war, it shall not by any means be lawful for them so to do, without notice given in time by letters of their arrival, and without leave first obtained from those to whom the said harbours shall belong. But if by stress of weather, or other urgent necessity, they are compelled to seek harbour, in such case, without any token or notice preceding, the ships shall not be restrained to any certain number;

on condition, nevertheless, that their commander, immediately after their arrival, do certify the chief magistrate or commander of the place, fort, or coast to which they arrive, of the reason of his coming, and that he stay there no longer than he shall be suffered by the chief magistrate or commander, and do neither commit nor attempt any hostility in the harbours which he enters, nor do any thing in prejudice of that confederate to whom they belong.

XV. If either of the confederates shall think it of service to himself or his subjects to appoint deputies, residents, commissioners, or other ministers of whatsoever title or character, to manage their affairs in the courts or tribunals of the other, it is agreed and concluded, that the said ministers shall be favourably admitted, according to the credentials which they bring, and be received with fitting respect and honour, and shall be under the protection of the other confederate, and safe from all manner of injury and violence. Provided they do not commit, or attempt any thing to the loss and prejudice of the confederate to whom they are sent.

XVI. Whereas since the 26th of April, 1654, and the first of June, 1646, certain treaties and alliances were entered into concerning customs in the Sound, and other things, between the most Serene King of Denmark of glorious memory, and the States of England, at that time assembled in parliament, it is agreed and concluded, that the said treaties and alliances shall not in any wise by the present treaty be deemed to be set aside or repealed, but remain in their former force and vigour, as well on the part of his most Serene Royal Majesty now reigning, as on the part of the most High Lord Protector of the republic of England; who both bind themselves again by the vigor and virtue of this present treaty, to perform the said treaties reciprocally and really, and that they will take care that the same, and every one of their  
articles

articles be performed, and effectually observed, according to their true and proper meaning, by their subjects and people.

XVII. Finally, it is agreed and concluded, that both parties shall sincerely and *bonâ fide* observe all and singular the articles contained and established in the present treaty and alliance, and cause them to be observed by all the subjects, inhabitants, and people, of the Most Serene King of Denmark and Norway, and of the republic of England, universally; and that they shall not contravene, or cause them to be contravened, directly or indirectly; and shall confirm and ratify all and singular the contents, in sufficient and valid form, subscribed with their hands, and sealed with their great seals; and shall *bonâ fide* and really deliver, or cause the same to be delivered, reciprocally to deputies appointed for that purpose, within the space of three months, or sooner, if possible.

In witness of all and singular the premises, I the Deputy Extraordinary of the Most Serene and Potent King of Denmark and Norway, and we the Counsellors and Commissioners of his Most Serene Highness the Lord Protector of the republic of England, Scotland, and Ireland, have with our hands and seals signed and sealed the present treaty, consisting of seventeen articles. Done at Westminster, Sept. 15, 1654.

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[The following is printed from the treaty, which was published by authority in 1686.]

*Articles of Peace and Alliance between the Most Serene and Mighty Prince, Charles the Second, by the grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the Most Serene and Mighty Prince, Frederick III. King of Denmark*



Denmark *and* Norway. *Concluded*  $\frac{2}{3}$  day of July, 1667.

I. FIRST, It is covenanted, concluded, and agreed, that there be from this day a perpetual, firm, and inviolable peace between the Most Serene and Most Mighty Prince, Charles the Second, King of Great Britain, and the Most Serene and Most Mighty Prince, Frederick the Third, King of Denmark and Norway, between their heirs and successors, and their kingdoms, principalities, earldoms, islands, cities, forts, lands, subjects, and inhabitants, of what state and quality soever: and so as to maintain and promote each other's good no less than their own, and to avert and hinder, with all possible study, the damage and destruction of one another. And in this respect it shall be free for the subjects of either King to exercise a mutual navigation and commerce without molestation, and with their merchandizes to come to each other's kingdoms, provinces, marts, ports, and rivers, and there to abide and traffic.

II. At this present shall cease between the aforesaid Kings, and their kingdoms, principalities, earldoms, people, and subjects, both by land and sea, all enmity, war, and hostility; that is to say, in the Northern ocean, and in the Baltic sea, and the Channel, within twenty-one days; from the mouth of the said straight or channel to the Cape of St. Vincent, within six weeks; and then within the space of ten weeks beyond the said cape on this side the equinoctial line or equator, as well in the ocean as the Mediterranean sea: finally, within the space of eight months, beyond the bounds of the aforesaid line all over the world, without any exception or further distinction of time or place; all days, weeks, and months, to be computed from the subscription of the present agreement, and the publication of the same here made at Breda. And whatsoever shall be taken and seized after the aforesaid days, by either King, or their subjects,

jects, to whom commissions have been granted, it shall be wholly restored back again to him or them from whom the same was taken; and furthermore, full satisfaction shall be made for the damages to him or them thereby arising, or the charges they have been at; and every person herein offending, shall be punished as his offence deserves.

III. It is also agreed and concluded, that all differences on both sides, suspicions, and ill-will, both on the part of the Most Serene King of Great Britain, and on the part of the Most Serene King of Denmark, &c. and likewise for singular the ministers, officers, and subjects of them, be buried and abolished by a perpetual oblivion. And further, from this present shall expire, be annulled, and for ever cancelled, all damages, offences, injuries by word or writing, that either the one has done the other, or has been suffered by the one from the other, from the very first beginning of the now ceasing war to this day, and the determined point of time wherein all dissensions, discords, differences, and enmities, shall cease and be laid aside: by name, the assault and defence made at Bergen in Norway, and in whole, whatsoever either followed from thence, or does thereon depend; in such manner, as that neither of the said parties, by reason of any damage of this kind, offence, or charges, do, under any pretence whatsoever, cause the other any trouble, much less for this cause endeavour or attempt any kind of hostility.

IV. All prisoners on both sides, of whatsoever fortune or rank, shall be forthwith set at liberty without any ransom.

V. All ships, goods, or the like, that in this turbulent season, in the heat of this very war between both the above-mentioned Kings and their subjects, have been taken by the one from the other, or that either party has confiscated and seized of the goods and possessions of persons or subjects of the other nation;

as also all the expences of war on both sides, shall be compensated by a like mutual abolition. In such manner, as are together comprehended in this compensation, those debts of the subjects of the King of Great Britain, which have been on the part of Denmark confiscated; but in this sense, that whatever debts of this kind unto the tenth day of May old stile, and twentieth new stile, by virtue of confiscation or reprisals, have been by subjects paid and received, do remain utterly abolished and satisfied; and that it be not lawful for the creditors of such debts for the future to pretend any thing upon this account, much less to urge payment of such for any reason, or under any pretence whatsoever. But of such debts as on the said day have not been paid and received, it shall be lawful for the creditors, subjects of the King of Great Britain, to demand and prosecute the payment, by the ordinary way of justice. Excepting nevertheless, 120,000 rix-dollars, more or less (namely, accruing from a certain controversy which arose between Christian the Fourth, of most glorious memory, King of Denmark and Norway, and the Parliament of England, by reason of sending aid to Charles the First of most glorious memory, King of Great Britain) for which the King of Denmark and Norway bound himself, and gave his bond to a company of certain English merchants trading at Hamburgh, and there either now living, or that have heretofore lived; which claim of 120,000 rix-dollars or thereabouts, being confiscate, shall be now by virtue of the present treaty accounted as null, dead, and utterly abolished; in such manner, that the creditors of that debt are not either now, or at any time hereafter, therefore to demand or pretend any thing. In like manner as is also covenanted and agreed in most significant words, that no pretension shall be at any time made, by reason of such ships and goods so seized, and debt or money lent, in such manner as aforesaid abolished and confiscated; but that all shall on both sides by a solemn compensation be for ever accounted

counted as null and void: yet so that lands and immoveable goods be not comprehended in the aforesaid voidance and annulation, but that they be without any difficulty or impediment restored back to those, who before the denouncing of the present war were the possessors and proprietors of them.

VI. It is covenanted and agreed on both sides, That under the last-mentioned compensation, neither countries, nor islands, nor cities, nor forts, nor ports, nor other like places, are to be understood. But if it shall be found, that either party during this war hath either taken any such, in or out of Europe, or may yet take within the time limited in the second article, whatsoever it be, it shall be, without any compensation and loss, together with all, even the smallest things thereto appertaining, forthwith restored to him whose it was before, and in the same condition wherein it was then when it was taken, without tergiversation, delay, or any kind of pretence.

VII. Under this present treaty of peace shall be comprehended those, who before the exchange of ratifications, or afterwards within six months, shall be by common consent nominated by both parties. And, as the covenanting parties do thankfully acknowledge the friendly offices and unwearied endeavours, whereby the Most Serene King of Sweden interposing his mediation, hath through the assistance of God promoted and carried on this beneficial work of pacification unto the desired conclusion; so to testify their like affection, it is decreed and covenanted, by the common consent of all the parties, that his above-mentioned Majesty of Sweden, with all his kingdoms, dominions, provinces, and rights, be included in this treaty, and comprehended in the present pacification, after the best and most effectual manner that may be.

VIII. Lastly, It is concluded, covenanted, and agreed, that the foresaid Most Serene and Most Potent Kings shall sincerely and *bonâ fide* observe all and singular

ingular the articles contained and established in this present treaty, and shall cause the same to be observed by their subjects and inhabitants, neither shall they directly or indirectly transgress them, or suffer them to be transgressed by their subjects or inhabitants directly or indirectly: and they shall ratify and confirm all and every thing as they are above covenanted, by letters patent, subscribed with their hands, and corroborated with their great seals, conceived and written in sufficient, valid, and effectual form, and shall reciprocally deliver, or cause the same to be delivered here at Breda, *bona fide*, really and effectually, within the space of four weeks next ensuing the date of these presents, or sooner if it may be done.

Breda, the  $\frac{21}{11}$  day of July, 1667.

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[The following is printed from the treaty which was published by authority in 1686.]

*Articles of Alliance and Commerce between the Most Serene and Potent Prince, Charles the Second, by the grace of God, King of England, Scotland, France; and Ireland, Defender of the Faith, &c. and the Most Serene and Potent Prince, Christian the Fifth, by the grace of God, King of Denmark, Norway, &c. Concluded at Copenhagen, the 11th day of July, 1670.*

I. THAT there be between the two Kings, their heirs and successors; as also their kingdoms, principalities, provinces, estates, counties, islands, cities, subjects, and vassals, of what condition, dignity, and degree soever, by land and sea, in rivers, fresh-waters, and all places whatsoever, as well in Europe as out of Europe, now and for the time to come, a sincere, true, and perfect friendship, peace, and confederation; so as that neither party do any wrong, injury, or prejudice to the kingdoms, principalities, provinces, and estates,

estates, or to the inhabitants and subjects of the other; nor suffer any to be done by others, as much as in him is: but rather live as friends together, using each other with good-will and respect; and promoting upon all occasions the interests and advantages of each other, and their subjects, as if they were their own: and preventing and hindering with all their power, by their assistance and advice, any damage, wrong, and injury, that may be offered them.

II. Neither of the foresaid Kings and their heirs shall consent to any thing that may be to the prejudice or detriment of his ally; but if either of the Kings shall know that any thing is proposed, or is in agitation or contrivance, or that will be proposed, agitated, or contrived, which may tend to the detriment of the other, he shall be obliged to signify the same unto him without delay, and in the mean time to hinder and prevent it by all ways possible.

III. The foresaid Kings for themselves, their heirs and successors, mutually do undertake and promise, That they will not aid or furnish the enemies of either party, that shall be aggressors, with any provisions of war, as soldiers, arms, engines, guns, ships, or other necessaries for the use of war, or suffer any to be furnished by their subjects: but if the subjects of either Prince shall presume to act contrary hereunto, then that King, whose subjects shall have so done, shall be obliged to proceed against them with the highest severity, as against seditious persons, and breakers of the league.

IV. It is further covenanted and agreed, That if at any time hereafter, any prince or state shall invade, or by any hostile way attempt upon the hereditary kingdoms, provinces, counties, towns, islands, territories, or dominions of the King of Denmark, which he now possesseth, then the King of Great Britain shall assist the said King of Denmark in time, with such number of land forces and ships of war, against such aggressor,

aggressor, as shall suffice to repel the force, and as the state of the said King's affairs shall require. And the said King of Great Britain shall therefore with all his power endeavour to hinder, that by such invasion or disturbance the King of Denmark be not prejudiced in any wise in his kingdoms, dominions, or rights. And if the said King of Great Britain, or the said King of Denmark, shall contract or make any league, alliance, or union with any other king, prince, commonwealth, or state, they shall respectively endeavour to comprehend therein each other, and their dominions (as much as in them lies) if they shall desire to be comprehended.

V. It shall be lawful for the subjects of both Kings, with their commodities and merchandize both by sea and land, in time of peace, without licence or safe-conduct general or special, to come to the kingdoms, provinces, mart towns, ports, and rivers of each other, and in any place therein to remain and trade, paying usual customs and duties; reserving nevertheless to either Prince his superiority and legal jurisdiction in his kingdoms, provinces, principalities, and territories, respectively.

VI. It is notwithstanding covenanted and concluded, that the subjects of the King of Great Britain shall in no wise come to the prohibited ports, of which mention is made in precedent treaties, nor colonies, without the special licence of the King of Denmark first desired and obtained; unless they shall be compelled to make thither, and enter therein, by stress of weather, or pursuit of pirates; in which case, neither shall it be lawful for them to buy or sell. As also in like manner the subjects of the King of Denmark shall not come to the British colonies, unless by special licence of the King of Great Britain first desired and obtained.

VII. It shall be lawful for the subjects of the Most Serene King of Denmark to bring into their own stores

stores and warehouses in England, Scotland, and Ireland, and other the ports of the King of Great Britain in Europe, such commodities as now, or hereafter shall be of the growth and production of the estates, countries, and dominions, subject to the King of Denmark, or of the manufacture thereof, and likewise such as come from any part of the river of Elbe.

In like manner shall it be lawful for the subjects of the King of Great Britain to import and bring into Denmark, Norway, and all other ports and colonies not prohibited of the King of Denmark, all kinds of merchandize which now or hereafter shall be produced or made in the kingdoms, countries, and estates under the subjection of the King of Great Britain. But if at any time hereafter it be permitted to any foreign nations, to bring all kinds of commodities without exception, into England, Scotland, and Ireland, and other the ports belonging to the King of Great Britain, then the same also shall be lawful for the subjects of the King of Denmark: which in like manner shall be permitted to the subjects of the King of Great Britain, upon the like occasion, in the prohibited ports and colonies of the King of Denmark.

VIII. It is also covenanted and agreed, that the people and subjects of the King of Great Britain, sailing to any the hereditary kingdoms, countries, or dominions of the King of Denmark, or trading in the same, shall pay no more or greater customs, tribute, toll, or other duties, nor in any other manner than the people of the United Provinces of the Low Countries, and other strangers (the Swede only excepted) trading thither, and paying lesser customs, do or shall pay; and in going, returning, and staying, as also in fishing and trading, and all other things, shall enjoy the same liberties, immunities, and privileges, which the people of any foreign country in the said kingdoms and dominions of the King of Denmark, abiding and



trading, do or shall enjoy. And so on the other side, the people and subjects of the King of Denmark shall have and enjoy the same privileges in the countries and territories of the King of Great Britain; to wit, that the people and subjects of the King of Denmark, sailing to any the kingdoms, countries, or dominions of the King of Great Britain, or trading in the same, shall not pay any more or greater customs, tributes, toll, or other duties, nor in any other manner, than the people of the United Netherlands, or other strangers trading thither, and paying lesser customs, do or shall pay: and in going, returning, and staying, as also in fishing and trading, and all other things, shall enjoy the same liberties, immunities, and privileges, which the people of any other foreign country in the said kingdoms and dominions of the King of Great Britain, abiding and trading, do or shall enjoy: but so, as that the power of each King of making or altering customs, or other duties, as they shall see occasion, in their respective kingdoms, countries, dominions, and ports, remain full and entire; provided the foresaid equality be strictly observed on both sides in manner aforesaid.

IX. It is also covenanted, that when the subjects of either King have imported their commodities into the dominions of the other, have paid the usual customs for them, and undergone their search, it shall be free and lawful for them to bring their said commodities into their own proper storehouses and cellars, or into places which they shall think most fit and convenient, and there store them; nor shall any magistrate or officer of any the cities or ports of either, impose upon them any cellars or storehouses without their consent.

X. The subjects of either crown trading upon the seas, and sailing by the coasts of either kingdom, shall not be obliged to come into any port, if their course were not directed thither; but shall have liberty to pursue their voyage without hinderance or detention,

tion, whithersoever they please. Nor shall they, being by tempest forced into port, and there remaining, be obliged to unlade their cargo, or to barter or sell any part thereof; but it shall be lawful for them to dispose of it as they shall think fit, and to do any other thing which they shall judge most for their advantage: provided nothing be done that may be to the defrauding of either Prince of his due rights and customs.

XI. It is also agreed, that after any planks, masts, and other sorts of timber, have been once put on board the ships of the subjects or people of the King of Great Britain, they shall not be liable to any further search; but all search or scrutiny shall be made before; and if then, either oaken, or other prohibited timber be found, it shall be presently stopped and detained upon the place, before it be put on board the ships; nor shall the people of the said King of Great Britain, or his subjects, be therefore molested in their persons or estates by arrest, or other detention whatsoever; but only the subjects of the King of Denmark, who shall have presumed to sell or alienate any the like prohibited timber, shall be punished in due manner. And the people and subjects of the King of Great Britain shall have, possess, and enjoy all and singular the contents and concessions of this article, without any molestation or interruption, so long, and for all such time as the subjects, or any of the people of the United Netherlands, shall hold, possess, and enjoy, or might or ought to hold, possess, and enjoy the same, or like privileges, by any treaty already made, or to be made, or by any contract, agreement, or permission.

XII. It is also concluded and agreed, that all ships belonging to the subjects of the King of Great Britain, and merchants, in their passage through the Sound, under the Most Serene King of Denmark and Norway, &c. shall enjoy, after the same manner, the benefit and privilege of deferring the payment of their

customs until their return, as they held and enjoyed in former years last preceding the late war; but so, nevertheless, that the said ships and merchants bring with them certificates under the seal of the officers of the said King of Great Britain deputed thereunto, testifying the said ships to belong to subjects of the King of Great Britain; and likewise that before their passage they give sufficient and good security for paying the same in place convenient, to the collectors of the customs of the said King of Denmark, at their return, or if they shall not return, within three months time at the farthest, if they do not pay the same at their said first passage.

XIII. And furthermore it is agreed, that whatsoever merchandize the subjects of the King of Great Britain shall land at Elsignore, and there lay in their storehouses, to no other end than to put on board again entire, and transport them to other parts, they shall be obliged to pay only the same duties for such merchandize, and no more, than is wont to be paid in this case by the Dutch nation, or any other strangers: which shall be reciprocally observed to the subjects of the King of Denmark, after the same manner, in England.

XIV. Also it is agreed, that the ships and subjects of the King of Great Britain shall have their dispatch at Elsignore as soon as they arrive there, without delay, no ships, of what nation soever, having preference before them in this behalf: except the inhabitants of certain places, who have anciently held a privilege to that purpose, and still do.

XV. If any subject of either Prince shall happen to die in the dominions or territories of the other, it shall be lawful for him to dispose of his estate, both money and goods, in any manner whatsoever: and if any one die within the kingdoms or provinces of the other Prince without making any such dispositions, then the goods by him left, moveable or immoveable, of whatever nature or condition the same shall be,  
shall

shall be faithfully preserved for the use of the right heir, and for satisfaction of such debts as the party deceased was justly bound to pay: and to that end, so soon as any subject of either Prince shall die in the other Prince's dominions, the consul or public minister then residing there shall have right to possess the said monies and goods, and shall make inventories of the same before some magistrate of the place; which goods shall afterwards remain in his hands, to be answered to the heirs and creditors as aforesaid; but if no such consul or public minister shall be there, then it shall be lawful for two merchants of the same country with the party deceased, to possess the goods left by him, to preserve them; and in like manner to answer them to the heirs and creditors. Which notwithstanding is to be so understood, that no papers or books of accounts are by this article to be exposed to the inspection of the said magistrate, but only the real goods and merchandize of the deceased; and that the said magistrate, within the space of forty-eight hours after notice given, and request made, shall be obliged to be present, otherwise the said inventories shall be made without him.

XVI. It shall be lawful for either of the confederates, and their subjects or people, to trade with the enemies of the other, and to carry to them, or furnish them with any merchandizes (prohibited only, which they call contrabanda, excepted) without any impediment, unless in ports and places besieged by the other; which nevertheless if they shall so do, it shall be free for them either to sell their goods to the besiegers, or betake themselves to any other port or place not besieged.

XVII. It is also agreed, that it shall be free and lawful for the subjects of either Prince, trading in the dominions or ports of the other, there to remain and reside for the buying and selling commodities, without any restriction of time, or limitation to be imposed upon

upon them by any officers or magistrates of the said dominions or ports, they paying the accustomed duties for all goods and merchandize by them imported or exported; and further provided that they trade with none but such as are citizens, or burghers of some city or town within the kingdoms of Denmark or Norway, and that only by wholesale, and not by parcels or retail.

XVIII. Furthermore, for the better encouragement of trade and commerce, and for the utter avoiding of all frauds and disputes that may arise between the officers of ports and merchants, it is agreed and concluded, that all and singular duties shall be demanded and paid, according to the printed Tariff (or book of rates) wherein shall be comprized all customs and duties to be paid, as well for goods in the respective ports, as for passage through the Sound: and to the end that this may be the more strictly observed, both Kings shall not only enjoin his officers and collectors of his customs, under the highest penalty, not to do any thing that may frustrate or elude this agreement; but also that they do not, by molestation or exaction, cause any trouble, or offer any injury to the subjects of either King.

XIX. Moreover, it is concluded and agreed, that the King of Denmark shall constitute the overseers of his customs, or others, commissioners for re-measuring all ships belonging to the subjects of the King of Great Britain trading in Norway, according to their burthen and content, so as that what has been hitherto not rightly observed, either in excess or defect, may be hereafter reduced into better order.

XX. But lest such freedom of navigation or passage of the one ally, and his subjects and people, during the war that the other may have by sea or land with any other country, may be to the prejudice of the other ally, and that goods and merchandize belonging to the enemy may be fraudulently concealed  
under

under colour of being in amity; for the preventing of fraud, and clearing all suspicion, it is thought fit, that the ships, goods, and men, belonging to the other confederate, in their passage and voyages, be accompanied with letters of passport and certificate; the forms whereof to be as follows:

*CHARLES the Second, by the Grace of God, King of Great Britain, &c.*

*CHRISTIAN the Fifth, by the Grace of God, King of Denmark and Norway, &c.*

BE it known unto all and singular to whom these our letters of safe-conduct shall be shewn, That our subject and citizen of our city of **hath** humbly represented unto us, that the ship called **of the burthen of** tons, **doth** belong unto them and others our subjects, and that they are sole owners and proprietors thereof, and is now laden with the goods which are contained in a schedule which she hath with her from the officers of our customs, and do solely, truly, and really belong to our subjects, or others in neutrality, bound immediately from the port of **to** such other place or places where she may conveniently trade with the said goods, being not prohibited, nor belonging to either of the parties in hostility, or else find a freight: which the foresaid **our** subject, having attested by a writing under his hand, and affirmed to be true by oath, under penalty of confiscation of the said goods, we have thought fit to grant him these our letters of safe-conduct: and therefore we do hereby respectively pray and desire all governors of countries and seas, kings, princes, commonwealths, and free cities, and more especially the parties now in war, and their commanders, admirals, generals, officers, governors of ports, commanders of ships, captains, freighters, and all others whatsoever

G 4 having

having any jurisdiction by sea, or the custody of any port, whom the ship aforesaid shall chance to meet, or among whose fleet or ships it shall happen to fall, or make stay in their ports, that by virtue of the league and amity, which we have with any king or state, they suffer the said master with the ship, persons, things, and all merchandize on board her, not only freely and without any molestation, detention, or impediment, to any place whatsoever to pursue his voyage, but also to afford him all offices of civility, as to our subject, if there shall be occasion; which upon the like or other occasion we and ours shall be ready to return.

Given the                      day of                      in the  
year

WE the president, consuls, and senators of the city of                      do attest and certify, That on the                      day of                      in the year                      personally before us came and appeared citizen and inhabitant of the city or town of                      and under the oath wherein he stands bound to our sovereign Lord the King, did declare unto us, that the ship or vessel called                      of the burthen of                      tons, doth belong to the port, city, or town of                      in the province of                      And that the said ship doth justly belong only to him and others, subjects of our said sovereign Lord, and now bound directly from the port of                      laden with goods mentioned in a schedule received from the officers of the customs; and that he hath affirmed under the oath aforesaid, that the forementioned vessel, with her goods and merchandize, doth only belong to subjects of his Majesty, and doth carry no goods prohibited, which belong to either of the parties now in war.

In testimony whereof we have caused this certificate to be subscribed by the syndic of our city, and sealed with our seal.

Given, &c.

When

When therefore the merchandize, goods, ships, or men of either of the confederates, and their subjects and people, shall meet in open sea, straights, ports, havens, lands, and places whatsoever, the ships of war, whether public or private, or the men, subjects, and people of the other confederate; upon exhibiting only the foresaid letters of safe-conduct and certificate, there shall be nothing more required of them, nor shall search be made after the goods, ships, or men, nor shall they be any other ways whatsoever molested or troubled, but suffered with all freedom to pursue their intended voyage; but if this solemn and set form of passport and certificate be not exhibited, or that there be any other just and urgent cause of suspicion, then shall the ship be searched, which is nevertheless in this case only understood to be permitted, and not otherwise. If by either party any thing shall be committed contrary to the true meaning of this article, against either of the confederates, each of the said confederates shall cause his subjects and people offending to be severely punished, and full and entire satisfaction to be forthwith given, and without delay, to the party injured, and his subjects and people, for their whole loss and expences.

XXI. It is also concluded and agreed, that all ships of subjects and people of the King of Great Britain, together with their lading and merchandize, passing by the port of Gluckstad, or other places and towns under the dominion of the King of Denmark, situate upon the Elbe stream, both going and returning, shall be free and exempt from all custom, impost, search, seizure, and molestation, except only the case of search in the time of war, when the King of Denmark hath war with any other king or state.

XXII. If the subjects of either Prince be hurt or injured in the territories of the other, then the King of that place where the injury is done, shall take care that speedy justice be administered according to the laws



laws and customs of the country; and that the persons guilty be duly punished, with satisfaction to be made to the party wronged.

XXIII. It is also agreed, that no ships whatsoever, vessels, or merchandize laden on ships of whatsoever nature, kind, or quality, howsoever taken, belonging to any the subjects of either of the aforesaid Kings, under any colour or pretence whatsoever, be adjudged prize, unless by a judicial examination and process in form of law, in a court of admiralty for prizes taken at sea, in that behalf lawfully constituted.

XXIV. Both parties shall cause justice and equity to be administered to the subjects and people of each other, according to the laws and statutes of either country, speedily, and without long and unnecessary formalities of law and expences, in all causes and controversies, as well now depending, as which may hereafter arise.

XXV. If the ships of either of the confederates, and their subjects and people, whether they be merchantmen, or men of war, shall happen to run on ground, or fall upon rocks, or be forced to lighten themselves, or shall otherwise suffer shipwreck (which God forbid) upon the coasts of either King, the foresaid ships, with their tackle, goods, and merchandize, or whatsoever shall be remaining of them, shall be restored to their owners and proprietors; provided they or their agents and proctors do claim the said ships and goods within the space of a year and a day after such shipwreck suffered, saving always the rights and customs of both nations. The subjects also and inhabitants dwelling upon the said coasts and shores, shall be obliged to come in to their help in case of danger, and as much as in them lies to give their assistance; and shall do their utmost endeavour either for the freeing of the ship, or saving the goods, merchandize, and apparel of the said ship, and what else of the same they shall be able, and for the conveying the same into some safe place

place in order to be restored to the owners; they paying salvage, and giving such recompence to the persons by whose assistance and diligence the said merchandize and goods shall have been recovered and preserved, as they shall deserve. And finally, both parties, in case of such misfortune, shall see observed on their side, what they would desire to have observed and done on the other side.

XXVI. The commanders of ships, or governors, soldiers, mariners, and company belonging to the same; as also the ships themselves, and the goods and merchandize on board them, shall not be detained by any arrest or seizure, upon any warrant either general or special, or for any cause, unless for the defence and preservation of the kingdom; which yet shall not be understood to be meant of arrests laid by authority of law, for debt contracted upon any other lawful occasion whatsoever, in which case it shall be lawful to proceed according to the rules of justice and law.

XXVII. It shall be free for the merchants of both kingdoms, their factors and servants, and also the masters and mariners of ships upon the sea, and in other waters, as likewise in the ports, and upon the coasts and lands of either confederate, going, returning, and walking, for the defence of their persons and goods, to carry any kind of portable arms, as well offensive as defensive, so that they give no just cause of suspicion to the commanders and magistrates of any place, of any plots or contrivances against the public or private peace.

XXVIII. The convoys or ships of war of either party, meeting in their voyage, or overtaking any merchants ships, or others, belonging to the other confederate or his subjects, and making the same course at sea, in Europe or out of Europe, shall be obliged to guard and defend them as long as they shall hold the same course together.

XXIX. For

XXIX. For the greater security of commerce and freedom of navigation, it is concluded and agreed, that neither part, as much as may be, and shall lie in their powers, shall permit that public pirates or other robbers upon the sea, in any the ports of the other kingdom or country, have their receptacles or retreats, or shall suffer that any of the inhabitants or people of either Prince do receive them into their houses, or supply them with provisions, or be otherwise assisting to them; but, on the contrary, shall endeavour that the said pirates or robbers, and their partizans and accomplices, be apprehended and punished according to their demerit, and the ships and goods, as much as can be found of them, restored to the lawful owners or their agents, provided their right be made appear by due proof of law in the court of admiralty.

XXX. It is concluded and agreed, that there shall be at all times free access for the subjects and people of either party, to the ports and coasts of both Princes, and it shall be lawful for them to remain therein, and from thence again to depart, and also to pass through the seas and territories whatsoever of either King respectively (not committing any waste or injury) not only with merchant-ships, and ships of burthen, but also with ships of war, whether the same be upon the public account, or acting by private commissions; whether they enter by reason of tempest, and for avoiding the danger of the sea, or to refit or buy provisions: so that they exceed not the number of six ships of war, if they enter of their own accord, nor shall they remain longer in or about the ports than shall be necessary for the refitting of their ships, buying provisions or other necessaries: and if they should upon occasion desire to come into the said ports with a greater number of ships of war, it shall in no wise be lawful for them to enter thereinto without first giving timely notice by letter of their coming, and obtaining leave of those to whom the foresaid ports belong. But if by force of tempest, or other urgent necessity, they

they shall be compelled to put into harbour, in such case, without any precedent notice, the ships shall not be restrained to a certain number; but with this condition nevertheless, that their admiral or commander in chief, presently after his arrival, shall make acquainted the chief magistrate or commander of the place, haven, or coast, whither they are come, with the cause of his coming; nor shall he stay longer there than shall be permitted him by the chief magistrate or commander, and shall not act or attempt any hostility in the ports whereinto he hath betaken himself, or any thing prejudicial to him of the two confederates to whom they shall belong.

XXXI. It shall not be lawful for the subjects of either King, or the inhabitants of the kingdoms or lands under their obedience, to procure of any prince or state who is at difference, or in open war with either of the confederates, letters patents, called commissions or reprisals, much less by virtue of such letters to molest or damnify the subjects of either. Both the said Kings shall strictly prohibit their subjects respectively, that they do not procure or accept from other princes or states any such commissions; but shall, as much as in them lies, forbid and hinder the committing of any depredations by virtue of such commissions.

XXXII. If any ship or ships belonging to the subjects of either King be taken in the ports of either by a third party, they in whose port, or within whose jurisdiction whatsoever the foresaid ships shall be taken, shall be mutually obliged to use their endeavour, together with the other party, for the finding and re-taking the said ship or ships, and restoring them to the owners; which nevertheless shall be done at the charge of the said owners, or the parties interested.

XXXIII. But if also in the ships taken by the subjects of either confederate, and brought into any port belonging to the other, there be found any seamen or other persons who are subjects of that confederate

XXIX. For the greater security of commerce and freedom of navigation, it is concluded and agreed, that neither part, as much as may be, and shall lie in their powers, shall permit that public pirates or other robbers upon the sea, in any the ports of the other kingdom or country, have their receptacles or retreats, or shall suffer that any of the inhabitants or people of either Prince do receive them into their houses, or supply them with provisions, or be otherwise assisting to them; but, on the contrary, shall endeavour that the said pirates or robbers, and their partizans and accomplices, be apprehended and punished according to their demerit, and the ships and goods, as much as can be found of them, restored to the lawful owners or their agents, provided their right be made appear by due proof of law in the court of admiralty.

XXX. It is concluded and agreed, that there shall be at all times free access for the subjects and people of either party, to the ports and coasts of both Princes, and it shall be lawful for them to remain therein, and from thence again to depart, and also to pass through the seas and territories whatsoever of either King respectively (not committing any waste or injury) not only with merchant-ships, and ships of burthen, but also with ships of war, whether the same be upon the public account, or acting by private commissions; whether they enter by reason of tempest, and for avoiding the danger of the sea, or to refit or buy provisions: so that they exceed not the number of six ships of war, if they enter of their own accord, nor shall they remain longer in or about the ports than shall be necessary for the refitting of their ships, buying provisions or other necessaries: and if they should upon occasion desire to come into the said ports with a greater number of ships of war, it shall in no wise be lawful for them to enter thereinto without first giving timely notice by letter of their coming, and obtaining leave of those to whom the foresaid ports belong. But if by force of tempest, or other urgent necessity,  
they

they shall be compelled to put into harbour, in such case, without any precedent notice, the ships shall not be restrained to a certain number; but with this condition nevertheless, that their admiral or commander in chief, presently after his arrival, shall make acquainted the chief magistrate or commander of the place, haven, or coast, whither they are come, with the cause of his coming; nor shall he stay longer there than shall be permitted him by the chief magistrate or commander, and shall not act or attempt any hostility in the ports whereinto he hath betaken himself, or any thing prejudicial to him of the two confederates to whom they shall belong.

XXXI. It shall not be lawful for the subjects of either King, or the inhabitants of the kingdoms or lands under their obedience, to procure of any prince or state who is at difference, or in open war with either of the confederates, letters patents, called commissions or reprisals, much less by virtue of such letters to molest or damnify the subjects of either. Both the said Kings shall strictly prohibit their subjects respectively, that they do not procure or accept from other princes or states any such commissions; but shall, as much as in them lies, forbid and hinder the committing of any depredations by virtue of such commissions.

XXXII. If any ship or ships belonging to the subjects of either King be taken in the ports of either by a third party, they in whose port, or within whose jurisdiction whatsoever the foresaid ships shall be taken, shall be mutually obliged to use their endeavour, together with the other party, for the finding and retaking the said ship or ships, and restoring them to the owners; which nevertheless shall be done at the charge of the said owners, or the parties interested.

XXXIII. But if also in the ships taken by the subjects of either confederate, and brought into any port belonging to the other, there be found any seamen or other persons who are subjects of that confederate

derate into whose ports or rivers the prize shall be brought, they shall be civilly used by those who have taken them, and restored to their liberty forthwith, and without ransom.

XXXIV. But if a ship of war, or any other, laden with prohibited goods belonging to the other crown, happen to be taken; it shall not be lawful for the captains or commanders who have taken her, to open or break up any chests, tons, or bales on board the said ship, nor likewise to transport or otherwise alienate any of her merchandize, until they have been first put on shore, and an inventory thereof made before the judges of the admiralty.

XXXV. And for the greater security of the subjects of both Kings, and for preventing of all violence towards them from the said ships of war; all commanders of any the ships of war belonging to the King of Great Britain, and all other his subjects whatsoever, shall be strictly charged and required, that they do not molest or injure the subjects of the King of Denmark; if they shall do otherwise, they shall be liable to answer it in their persons and estates, and shall therein stand bound until just satisfaction and compensation shall be made for the wrongs by them done, and the damage thereby sustained or to be sustained: in like manner shall all commanders of the ships of war belonging to the King of Denmark, and all other his subjects whatsoever, be straitly, under the same penalties, charged and required that they do not molest or injure the said subjects of the King of Great Britain: provided nevertheless, that all the foresaid actions be examined and adjudged by due and legal proceeding in the court of admiralty of both Kings; or if it shall rather seem meet to either of the parties, being a stranger in the place where the controversy is to be decided, they shall be examined before certain commissioners, which both Kings, so soon as they shall be desired, shall appoint to that end, that so proceedings by this means may

may be not only carried on without great expences, but also ended within three months at farthest.

XXXVI. Both Kings shall take care, that judgment and sentence, in things taken at sea, be given according to the rules of justice and equity, by persons not suspected or interested; and being once given by such judges as aforesaid, they shall straitly charge and require their officers, and whom it shall concern, to see the same put in due execution according to the form and tenor thereof.

XXXVII. If the ambassadors of either King, or any other public ministers residing with the other King, shall happen to make complaint of any such sentence, that King to whom complaint shall be made, shall cause the said judgment and sentence to be re-heard and examined in his council, that it may appear whether all things requisite and necessary have been performed according to the rules of this treaty, and with due caution: if the contrary shall happen, it shall be redressed, which is to be done at the farthest within three months time.

Neither shall it be lawful, either before the giving of the first sentence, or afterwards during the time of re-hearing, to unlade or sell and make away the goods in controversy, unless it happen to be done by consent of parties, and to prevent the perishing of the said goods and merchandize.

XXXVIII. The said Kings shall have in each other's court their ministers, and in certain ports their consuls, for the better and more easy communicating and proposing such things as they shall think advantageous to the public interest, or private concerns of any particular person.

XXXIX. No private injury shall in any wise letten this treaty, nor shall raise any discord or hatred between the foresaid nations, but every man shall answer for his own doings, and shall be responsible therefore;



therefore; nor shall one man suffer for that which another has offended in, by having recourse to reprisals, or such like rigorous proceedings, unless justice be denied or delayed longer than is fitting. In which case it shall be lawful for that King, whose subject has received the injury, to proceed according to the rules and prescriptions of the law of nations, until reparation be made to the party injured; provided notwithstanding, that he have first in due manner advertised the other King thereof.

. XL. Also it is agreed, that if the Hollander, or any other nation whatsoever (the Swedish nation only excepted) hath already, or shall hereafter obtain any better articles, agreements, exemptions, or privileges, than what are contained in this treaty, from the King of Denmark, that the same and like privileges shall be likewise granted to the King of Great Britain and his subjects, effectually and fully, to all intents and purposes; and on the other side, if the Hollander, or any other nation whatsoever, hath or shall obtain from his Majesty of Great Britain, any better articles, agreements, exemptions, or privileges, than what are contained in this treaty, that the same and like privileges shall be granted to the King of Denmark and his subjects also, in most full and effectual manner.

XLI. It is also concluded, that former treaties and leagues, at any time heretofore made between the foresaid confederates or their predecessors, Kings, as well for the kingdoms of Great Britain, &c. as for the hereditary kingdoms of Denmark and Norway, &c. respectively, be not in the least reputed or taken to be broken and abolished by any agreement, covenants, or articles in the present treaty contained; but that the same remain in full force, effect, and virtue, so far as they are not contrary or repugnant to the present treaty, or any article therein contained.

XLII. Finally, it is covenanted, concluded, and agreed, that the foresaid Kings shall sincerely and  
*bond*

*bonâ fide* observe all and singular the articles contained and set down in this treaty, and shall cause them to be observed by their subjects and people; nor shall transgress the same directly or indirectly, or suffer the same to be transgressed by their subjects or people, and shall ratify and confirm all and singular the premises as before agreed, by letters patents subscribed with their hands, and sealed with their great seals, in good, sufficient, and effectual form, and shall deliver the same reciprocally within three months after the date of these presents, or cause them to be delivered, in good faith and reality, and with effect.

Given at Copenhagen, the 12th day of July, 1670.

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*The following Explanation of the Third Article of the Treaty of Alliance and Commerce, which was concluded in 1670, between their late Majesties, Charles the Second, and Christian the Fifth, was made by a Convention, dated the 4th of July, 1780.*

LES deux Souverains contractants s'engagent réciproquement, pour eux et pour leurs successeurs, de ne point fournir aux ennemis de l'un ou de l'autre, en tems de guerre, aucun secours, ni soldats, ni vaisseaux, ni aucuns des effets et marchandises dites de contrebande; de défendre également à leurs Sujets de le faire; et de punir sévèrement, et comme des infracteurs de la paix, ceux qui oseroient contrevenir à leurs défenses à cet égard. Mais, pour ne laisser aucun doute sur ce qui doit être entendu par le terme de contrebande, on est convenu, qu'on n'entend sous cette dénomination que les armes, tant à feu que d'autres sortes, avec leurs affortimens, comme canons, mousquets, mortiers, petards, bombes, grenades, cercles-poissés, fauciffes, affuts, fourchettes, banderollières, poudre, meches, salpêtre, balles, piques, épées, morions, cuirasses, haliebardes,

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lances, javelines, chevaux, selles de cheval, fourreaux de pistolets, baudriers, et généralement tous autres artifices servant à l'usage de la guerre, de même que le bois de construction, le goudron, ou poix résine, le cuivre en feuille, les voiles, chanvres et cordages, et généralement tout ce qui sert directement à l'équipement des vaisseaux; le fer non ouvragé, et les planches de sapin cependant exceptés.

Mais il est expressément déclaré, que, dans ce genre de marchandises de contrebande, l'on ne comprend point le poisson et la viande fraîche ou salée, les fromens, farines, bleds ou autres grains, les légumes, l'huile, le vin, et généralement tout ce qui sert à la nourriture et sustentation de la vie; et ainsi toutes ces choses pourront toujours se vendre et transporter, comme les autres marchandises, même aux lieux tenus par un ennemi des deux Couronnes, pourvu qu'ils ne soient assiégés ou bloqués.

## THE HANSE TOWNS.

1435.  
1578. **T**HERE were various treaties between England and the Hanse Towns, from 1435 to 1578, when their peculiar privileges, within this kingdom, were entirely abrogated by Queen Elizabeth.  
*Rym. Fæd.* vol. x. p. 627-57-666.  
vol. xi. p. 217-645-729-739-780-793.
- 167 $\frac{2}{7}$ .  
12 Jan. The city of Hamburg's instrument, obliging itself to pay 35,000*l.* as compensation for the loss of certain English ships in the river Elbe.  
*Pap. Off.* R. 1.
1706.  
11 Oct. The treaty of commerce with Dantzic.  
*Pap. Off.* R. 4.  
*Board of Trade, Q.* 14.
1711.  
31 Jan. The convention with Hamburg, about the herring trade.  
*Pap. Off.* R. 5.  
*Board of Trade, O.* 128.
- 17 $\frac{19}{20}$ .  
8 Feb. The convention with Hamburg, about the herring trade.  
*Pap. Off.* R. 6.  
*Board of Trade, P.* 165.
1731.  
17 Oct. The convention with the city of Bremen, touching the commerce of herrings.  
*Pap. Off.* R. 7.  
*Board of Trade, V.* 88.

[The following treaty of commerce, between Great Britain and Dantzic, is printed from a copy in the book of treaties, belonging to the late Board of Trade.]

*The Treaty of Commerce with Dantzic, dated  $\frac{11}{11}$  October, 1706.*

WHEREAS her Sacred Majesty Anne, by the grace of God, of Great Britain, France, and Ireland, Queen, Defender of the Faith, at the request of her subjects, merchants residing in the city of Dantzic, most graciously commanded the Excellent and Reverend Dr. John Robinson, Doctor in Divinity, and Canon of the cathedral and metropolitical church of Christ at Canterbury, her Ambassador Extraordinary and Plenipotentiary, that he should confer with the most Noble Magistracy of the said city, in order to the removing certain grievances in trade, whereby the British merchants at Dantzic are oppressed; and the Magistracy aforesaid, being disposed and inclined to all those things which may be grateful and acceptable to her Majesty, and very much desiring that the British merchants residing at Dantzic, and those of Dantzic in Great Britain, may enjoy mutual advantages, hath named their deputies, the Noble Lords M. Gabriel von Boemeln, Consul, and John Ernest von der Linde, Consul and Syndic, to confer and treat upon that affair with the aforesaid Minister and Plenipotentiary: Whereupon the said Minister and Deputies consented and agreed unto the following articles.

I. As formerly and hitherto, so also hereafter for the future, it shall be lawful for the subjects of the kingdoms of Great Britain, to wit, England, Scotland, and Ireland, as of a nation in amity, freely to dwell at Dantzic, as long as they will, without any molestation, and exercise trade there; that is to say, to import whatsoever merchandizes of other nations, which it is lawful by sea or land to bring from foreign

reign parts to Dantzic, and, having paid the due and usual customs, to keep them in cellars, warehouses, and storehouses, and thence sell them to the citizens of Dantzic; or if, perhaps, they cannot sell them, to export them again by sea, in what ships they shall think fit, having paid the duties at their going out, which the citizens themselves do; as also buy all merchandizes whatsoever of the citizens of Dantzic, and transport them by sea to what foreign parts soever they please; nevertheless always observing the laws and statutes of the said city respecting either commerce, or any other right or privilege whatsoever.

II. But as to herrings in particular, and every kind of salt fish, it shall be lawful to keep these goods brought by British subjects, and to put them in cellars, warehouses, and storehouses, and have the same privileges as the Dutch merchants dwelling in Dantzic: yet so, that they must declare in the custom-house the said merchandizes, as well as all others, according to the true consignment of the same, as also commit them to the care and inspection of officers sworn to approve and examine the same; but they shall not deliver any of the said goods into the buyers hands, before they are exposed by the officers upon the public bridge, and subjected to their approbation and examination: In like manner also, the subjects of Great Britain shall be allowed to export herrings and salt by sea, paying custom for the same, provided they cannot sell them at Dantzic (suspending as heretofore, so now, and as far as may be, without prejudice to the public good, the execution of an edict published in the month of March, in the year 1687); but when it shall be necessary to enforce the said edict, and put it in execution, the same shall be previously notified to the British merchants for the six preceding summer months. Moreover, because the aforesaid merchants ought not to enjoy the proper rights and privileges of the citizens in buying

and selling, neither shall the British subjects, who lodge with any citizen of Dantzic, and have no family of their own, be obliged to execute personal offices and employments, as for example, to undertake the guardianship of others, the government of churches and hospitals, or those of any other kind whatsoever; nor to pay the subsidy that is imposed on the citizens and inhabitants, or any other burthens, besides the just and usual duties at coming in and going out, for their ships and merchandizes, as much, namely, as shall be paid by the citizens themselves, either for their persons or goods, and commodities whatsoever; but others who have hired houses and fixed habitations at Dantzic, and use and dwell in them, and have families of their own, they shall hereafter pay and be subject to all duties and impositions, without murmuring or refusal, which shall be required not only from the citizens, but from all the inhabitants in general, an equality being always observed, that they are not more burthened than the other inhabitants.

III. Moreover, there shall be entire liberty as well for the British merchants themselves, or if they have a family, as for the British heirs of the deceased to change place, and remove from Dantzic all their goods and effects, whenever and wheresoever they shall think fit; and those of Dantzic, or any Dantzic heirs of the deceased, shall also equally enjoy the same right in all things in the kingdom of Great Britain.

IV. A British ship being driven by storm going into port and the river Weiffell, shall pay nothing more than the money to the pilots, and for clearing out the ballast (commonly called Lots and Bagger Gild); but with this difference, that a ship of great burthen shall bear the said expences according to the proportion of lasts which, for easier entrance, she unloadeth into lesser vessels. And a little ship that unloadeth no goods, shall pay at least half the money for

for clearing out ballast (for hereafter a rate shall be settled of the payments to pilots, according to certain fleets of ships); but if such ship shall be brought to the city or place appointed for repairing ships, then it shall pay all and singular the impositions usually demanded of ships, the expences to be paid to officers being within moderation, according to the proportion of the ship; though the goods, which in that case the ship hath landed for its necessary repair, and afterwards received back, shall be free from any duty or imposition, and not like the rest of the loading.

And if there shall be occasion to sell any part of the goods for the said reparations, or to buy provisions, the accustomed duties for this proportion of goods only shall be paid; and it shall not be lawful to take out any part of the goods, without leave first obtained of the magistrate.

But as often as any ship which shall arrive from foreign parts into the station of the Dantzic ships, and bound with her loading to another place, shall unload any goods to be carried into the city; or if any goods are to be carried on board any ship arriving from foreign parts, and bound to another place, but not unloading any goods; in this case the whole custom must be paid for the ship, that is to say, as much as is required in that case for the Dantzic ships themselves; but the other impositions shall be levied, as well upon view of the ship as by reason of the merchandizes, according to the proportion of lasts unloaded or imported. But if such ship unloading any merchandize, has a mind to import into the city other goods in lieu of those unladen, in that case the duties shall be proportionably paid, according to the rate of the lasts which shall remain imported.

V. For as much as the British merchants, desiring to provide for the payment of the customs in a manner less troublesome, but not with less safety, did obtain from the magistrates of Dantzic, by the conclu-



sion of the States of the city of the 22d July, 1705, that instead of the usual money to be paid in the chamber (custom-house) personal security should be admitted to be taken, whereby all and singular the merchants of the British nation, residing in Dantzic for the time being, were bound, and the said States were pleased again to prolong the same method of security for another year; it is therefore agreed, that the said use of personal security shall remain to the end of the said year, nor is it hereafter to be doubted that any thing shall be changed therein, except it shall be found by experience that the British merchants abuse that concession, and perform not their part, or that other weighty considerations require it otherwise.

VI. Whereas commerce and the credit of traders, which are mutually necessary, cannot flourish or subsist without a ready administration of justice, the magistrate shall therefore take care that regard be had to the British merchants in all causes, and to their just desires in this particular. And a Dantzic merchant being creditor in specie, shall not arrest the person or goods of any British merchant his debtor, who shall be willing to give sufficient security; and by the like sufficient security to be given, a citizen of Dantzic that is debtor, shall be responsible to a British merchant that is creditor and suitor. The citizens of Dantzic shall reciprocally enjoy the same right in the kingdoms of Great Britain, &c.

VII. In causes relating to trade carried on with foreigners, against the rights of the city, the process against British merchants shall be made in the same manner and form of law as is usual to proceed against the citizens themselves in the sentence of punishment, according to the prescription of the statute law hitherto constantly observed, and in this case exact equity shall be observed; nor shall the magistrate omit to take care as well to prevent the lengthening of suits, as also to correct the other abuses, which by the malice

lice and obstinacy of the parties themselves at law in this behalf may have broke in.

VIII. If differences shall happen to arise in civil causes merely maritime, between the commanders of British ships and their seamen, that shall require a quick dispatch, the plaintiff, upon the request of the adverse party, shall be referred to the minister of Great Britain (if there be any upon the place), or to two British merchants deputed for that purpose, that the dispute may be well and justly made up. But if that cannot be, the magistrate shall plainly, and without any expence of time or charge, take care to determine the matter, that the said seamen shall not desert their master and ship to whom they belong, except for the most weighty reasons.

IX. The British merchants residing at Dantzic shall have a minister for the worship of God, who shall perform divine service in a private house, and in the British language, and shall perform the other offices of his function for those of the British nation. And the said minister, whether he hath a house and family of his own or not, shall enjoy the same freedom as the merchants. He shall moreover enjoy, by the kind indulgence of the magistrate, an exemption of excise of beer for the use of his house, and consumption of his own family. And the ministers of the reformed religion at Dantzic shall hereafter be indulged in any such respectful privilege.

X. For preventing all abuses whatsoever in the measure of salt or pit coals, all the tons by which they are measured shall be exactly adjusted, and a review of them, whether they are altered in any part, shall be yearly appointed; and the coal inspector shall be severely prohibited hereafter from taking to himself any thing that shall accidentally fall upon the ground in unloading the coals out of the ship or cart, or shall be designedly thrown out, but he shall leave it to the true owner; and the measurers of salt shall be enjoined  
to

to make just and equal measure, and to accept reward from no person whatsoever, under the penalty of being removed from their office.

XI. And it shall be lawful for the British merchants, in carrying their merchandizes between the city and the station of the ships, and vice versa, to bring small boats (commonly called boardings and ballast boats) for that purpose, according to an order thereupon made; nor shall greater freight be exacted of them for their goods than from the citizens themselves: and moreover it shall be lawful for the British subjects who trade in Poland, to bring the goods bought there to Dantzic, to be sold to the citizens, and carry away those bought of the citizens, with the same freedom as the Poles have hitherto, and may do hereafter:

XII. For as much as experience hath taught, that, under the name of tobacco imported from England and Holland, at the port of the city of Dantzic, an herb of the like species is brought hither, though of very different goodness from it, and therefore of a quite different and much cheaper price, that we are perplexed with exquisite and admitted frauds, and by this means the revenue of customs is prejudiced, and private buyers craftily deceived; care shall therefore be taken, that the remedies introduced for preventing these frauds may have their due effect, and other proper means used to obviate them hereafter.

For what remains; if any greater privileges, which any wise respect the persons, ships, or goods of foreigners at Dantzic, shall be hereafter granted to any foreign nation, the British subjects shall in the like manner fully enjoy the same for themselves, their ships, and commerce.

But after the noble Magistracy by their Deputies have proposed certain requests, whereof the citizens and merchants of Dantzic most humbly solicit her most Serene and Potent Majesty of Great Britain's concession, the forementioned Minister and Plenipotentiary

tentiary of her said Majesty using his good offices therein, and have earnestly moved that certain inconveniences, which have for some time affected the navigation and commerce of the people of Dantzic, in the kingdom of Great Britain, may be kindly removed and abolished; and therefore conferences having been likewise set on foot upon this affair between the said Plenipotentiary and the Deputies of the Magistrates, all things being considered, they thought fit to provide for the requests and grievances of the citizens and merchants of Dantzic by the following articles.

XIII. The citizens and inhabitants of Dantzic shall enjoy in the kingdoms of Great Britain, the same rights and liberties which they have hitherto obtained, and are now in use; and it shall be therefore free for them to come to, either by land or sea, all the dominions, towns, and places whatsoever of England, Scotland, and Ireland, and to enter into all ports with their ships, merchandizes, and cargoes, freely and with all manner of security, and to remain therein as long as they please, without any hindrance, and to trade and deal by themselves, or their factors and servants, and to import at pleasure any merchandize of the product or manufacture of the territories of the said city of Dantzic or Prussia, or such as shall be first commonly brought from other parts to the port of Dantzic, to be transported thence by sea to other places and territories, and in like manner to export merchandize of all sorts; on this condition, nevertheless, that they pay and bear the customs and all other impositions that are equally to be paid and discharged by all other foreigners residing or trading there; and that they observe the laws, statutes, and customs of this or that place where they shall come, and conform themselves thereto. But so often as the masters of Dantzic ships buy salt or pit coals in specie (*neo castri*) at Newcastle, or at any places of the kingdom of Scotland, they shall not be obliged to pay, or be laden with greater impositions

impositions and costs, than other foreign nations doing the same are obliged to pay.

XIV. The ships of Dantzic being duly furnished with authentic passports and certificates, by which the propriety of the ships and cargo may certainly appear, and that they neither carry contraband goods, nor those of the enemy; they shall not be stopped by British privateers in the British seas, or elsewhere in their voyage, much less detained, visited or taken, and carried into the ports of Great Britain: but if this stated and usual form of certificate be not produced, or there be some other just and urgent ground of suspicion, then the ship may be visited; nevertheless, this permission is to be understood in such case only, and not otherwise: and if any thing shall be done contrary to the true and genuine sense and meaning of this article, a severe penalty shall be inflicted on the offenders, and ample satisfaction shall immediately be made, without any delay, to the party injured, for his loss, damage, and expences.

XV. As often as a ship of Dantzic, laden with goods on the account of British merchants, shall arrive in any port of Great Britain, the British merchants shall take care that it be unladen as soon as may be, and pay the Dantzic masters of ships the price of transportation or freight in ready money (and not in bills, but they shall repay the charges, that is to say, the money paid to the pilots) according to contract and agreement, for undertaking the voyage between the owners and masters of the ships.

XVI. For as much also as complaints and differences do often arise between the British merchants and masters of ships, for pretended damage done to their goods, and compensation thereof; wherefore, to obviate such things for the future, lest any thing be allowed not agreeable to justice and equity, it shall not be lawful for British merchants, upon view of certain pretended damage, to withhold from the Dantzic

zic masters of ships as much as they please and desire, of the price of hire for freight due to them; but a just and exact account of the real damage shall be taken, and the Dantzic masters be obliged only to pay the true value thereof.

XVII. As often as any British merchant shall positively and effectually agree with a Dantzic master of a ship, being in the kingdom of Great Britain with his ship, for the carrying of goods, they shall, *bonâ fide*, mutually perform and comply with such contract and agreement; nor shall it be lawful for the merchant, by preferring other ships, though British, to detain the Dantzic ship beyond the appointed time. In like manner also, the British masters of ships, as often as they cut the cable, shall be obliged to make good the loss accruing thereby to the Dantzic masters of ships who were not in fault, not only by paying one English shilling, but the true and just price thereof.

And, as all and singular the premises contained in the foregoing articles are agreed and consented unto; so, after the approbation and ratification thereof by the most Serene and Potent Queen of Great Britain shall come and be exchanged with the ratification in like manner to be delivered by the Noble Magistracy of Dantzic, they shall constantly and inviolably be observed in all and every the points and clauses thereof.

In testimony and greater confirmation whereof, the Minister and Plenipotentiary of the most Serene and Potent Queen of Great Britain, as well as the Deputies of the Noble Magistracy of Dantzic, have subscribed and ratified these articles with their hands and seals. Done at Dantzic the  $\frac{11}{11}$  day of October, in the year 1706.

J. Robinson, (L. S.)    Gabriel von Boemeln,    (L. S.)  
 Jo. Ernest von der Linde, (L. S.)

[The following is printed from the copy which was published by authority in 1717.]

## HAMBOURG.

IN the Convention which was made in the year 1609, between the States of the province of Holland and this city, it is laid down as a certain principle, that Herrings caught before Midsummer-day cannot be at their maturity; and therefore those States and this city agreed, that no Herrings caught before that day should be brought in and sold here. But Mr. Wich, Resident of the King of Great Britain, having insisted with the Senate that his Majesty's subjects might be allowed to bring Herrings here as soon as they can; the Senate came to a resolution thereupon, which was entered in their Protocol the 3d of April, 1716, and a copy of it, signed by their Secretary, was delivered to the said British Resident, being as follows.

*Extract from the Protocol of the Senate of Hambourg, the 3d of April, 1716.*

Resolved to depute the Syndic, M. Sillem, and M. van Sam, to communicate to the Resident of his Britannic Majesty, an authentic copy of the treaty made with the States of Holland; and to represent to him, that he will see by it, how it has always been laid down for an unalterable principle, that no Herring can come to its maturity before Midsummer-day; for which reason the Senate cannot take upon them to change the established rule. However, the Senate does hereby give assurance to the Resident, that if the subjects of his Britannic Majesty can give proof that there is no true ground for this principle which has obtained, and will bring hither before Midsummer-day Herrings in maturity, then the Senate will not make any difficulty to let them be imported. *Nich. Luke Schaffsbausen, Secretary.*

This permission was confirmed by the Senate, under the privy seal of the city, on the 3d of July, 1716.

[The following Convention is printed from the original.]

*Convention renouvelée et amplifiée, entre Sa Majesté Britannique et la Ville d'Hambourg, touchant le Commerce des Harengs. Fevrier 8<sup>me</sup>, 1719.*

A SAVOIR qu'entre le sérénissime et très-puissant Prince et Seigneur, George, Roi de la Grande Bretagne, &c. par son Ministre Résident, Monsieur Cyrille de Wich, d'un côté; et la Louable République d'Hambourg, par les Députés de son Honorable Senat, les Sieurs Jean Anderson, Syndic, Pierre Burmeister, et Henry Dieteric Wiese, Senateurs, de l'autre côté; en vertu de leurs Pouvoirs et Commissions, la Convention de l'année 1711 a été renouvelée, expliquée et amplifiée dans les suivans Articles, pour servir de Règlement constant au libre Commerce du Hareng qui se pêche par les Sujets de Sa Majesté Britannique sur les côtes de ses Royaumes.

I. La Ville d'Hambourg accorde la permission, que le Hareng qui se pêche sur les côtes de la Grande Bretagne soit apporté librement à ladite Ville, en payant les mêmes droits d'entrée qui se payent ordinairement pour le Hareng Flamand ou Hollandois.

II. Ce Hareng, dès son arrivée, fera tout mis dans le magasin, ou les magasins qu'on jugera les plus convenables et propres pour y être gardé, moyennant que les propriétaires en payent un loyer raisonnable par tonneau, selon qu'ils en pourront convenir avec le maître du magasin.

III. Ce Hareng fera ouvert dans la cour du magasin, de la même maniere que celui de Hollande, à la vue de tous ceux qui voudront y être présens; la saumure en sera tirée; et après que le vuide des tonneaux sera rempli de bons poissons, la saumure y sera remise; le poisson restant toujours dans son premier tonneau, sans être rempaqueté d'un tonneau à l'autre. De plus, il sera taxé, et on mettra, selon sa qualité, la marque et le cercle convenables sur le fonds et au milieu



milieu de chaque tonneau ; et pour faire voir que ce n'est pas du Hareng Flamand ou Hollandois, mais celui de la Grande Bretagne, on fera brûler au fond de chaque tonneau un B couronné.

IV. Pour cette fin le Senat s'oblige de choisir et constituer deux taxadeurs, ordinairement dits *Wraquers*, et deux empacqueteurs ; et afin qu'on ne les puisse pas soupçonner de partialité, ils n'auront aucune dépendance ni communauté avec les *Schonenfabrers* : Et ces dits *Wraquers* et empacqueteurs feront un serment solennel, conforme au sens de cet Article, devant l'Honorable Senat, lequel serment leur sera réitéré tous les ans, au commencement de Juin, par les Députés du Senat.

V. Si les propriétaires, ou leurs commissionnaires, viennent en personne avec leur Hareng, ils auront la liberté de le vendre indifféremment aux bourgeois ou habitans de la Ville, à qui ils voudront : mais si, dans l'espace de huit jours, ils ne le pourroient débiter à ceux-ci, il leur sera permis de le vendre à quiconque ils voudront, ou même de l'envoyer hors de la Ville, à tel endroit qu'ils jugeront convenable.

VI. Quand les propriétaires voudront envoyer leur Hareng à des commissionnaires, pour le débiter, ils seront tenus de choisir leur commissionnaire, ou d'entre la Louable Société Anglicane, résidante dans la Ville, ou d'entre les bourgeois, qui, alors, le pourront vendre à quiconque leur plaira, ou l'envoyer hors de la Ville, où bon leur semblera.

VII. Outre ce dont on est déjà convenu ci-dessus, les Sujets de Sa Majesté Britannique jouiront toujours des mêmes privilèges et avantages dans ce Commerce des Harengs, qui sont déjà accordés, ou qui pourroient à l'avenir être accordés, aux Sujets de Leurs Hautes Puissances, Messieurs les Etats Généraux des Provinces-Unies.

VIII. De même, il est permis aux Sujets de Sa Majesté Britannique d'apporter à Hambourg des Saumons,

mons, Merlus, Morues, et toute autre sorte de poisson, soit séchés ou fumés, en barriques ou salés; bien entendu qu'ils payent, comme de coutume, le droit d'entrée ou gabelle modique: de la même maniere il est réservé aux habitans et bourgeois d'Hambourg, de négocier, selon leur ancienne coutume, aux Provinces des Royaumes Britanniques, d'y mener des marchandises, et de les troquer ou changer contre ces sortes de Poissons et d'autres denrées.

En foi de quoi, et en vertu des Ordres et Plein-pouvoirs, que nous susdits, le Ministre de la Grande Bretagne, et les Députés d'Hambourg, avons reçu de Sa Majesté le Roi de la Grande Bretagne, d'une part, et de l'Honorable Senat, de l'autre, nous avons signé la présente Convention renouvelée, et y avons fait apposer les sceaux de nos armes. Fait à Hambourg, ce 8 Fevrier 1719.

(L. S.) *Cyrill Wich.*

(L. S.) *Jobann. Anderson,* Syndicus.

(L. S.) *Petrus Burmester,* Rossman.

(L. S.) *Henricus Ditericus Wiese,* Sénateur.

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[The following Convention with the city of Bremen is printed from a copy in the books of the Board of Trade, V. 8.]

*Convention conclue entre Sa Majesté Britannique et la Ville de Bremen, touchant le Commerce des Harengs, 1731.*

SOIT notoire à tous ceux qui y ont intérêt, qu'entre le sérénissime et très-puissant Prince et Seigneur George II. Roi de la Grande Bretagne, &c. &c. par son Envoyé Extraordinaire le Chevalier, Baronet Cyrill Wich, d'un côté; et la Louable République de Bremen, par les Députés de son Honorable Senat, les Sieurs Christian Schöne, et Gaspar à Rheden, Docteurs en Droit, de l'autre côté; en vertu de leurs Pouvoirs et Commissions; il a été conclu et arrêté les Articles suivans,

suivans, pour servir de Règlement constant au libre Commerce du Hareng qui se pêche par les Sujets de Sa Majesté Britannique sur les côtes de ses Royaumes.

I. La Ville de Bremen accorde la permission que le Hareng qui se pêche sur les côtes de la Grande Bretagne, avant ou après le 24<sup>e</sup> de Juin N. St. soit apporté librement à ladite Ville, en payant les mêmes droits d'entrée qui se payent ordinairement pour le Hareng Flamand ou Hollandois, sans qu'ils ayent besoin de produire aucun certificat fermenté touchant le tems que ce Hareng ait été pêché ou pris.

II. Ce Hareng, dès son arrivée, sera tout mis dans le magasin ou les magasins qu'on jugera les plus convenables et propres pour y être gardé, moyennant que les propriétaires en payent un loyer raisonnable par tonneau, selon qu'ils en pourront convenir avec le maître du magasin.

III. Ce Hareng sera ouvert dans la cour du magasin, à la vue de tous ceux qui voudront y être présens; la saumure en sera tirée; et après que le vuide des tonneaux sera rempli de bons poissons, la saumure y sera remise, le poisson restant toujours dans son premier tonneau, sans être rémpaqueté d'un tonneau à l'autre. De plus, il sera taxé; et on mettra, selon sa qualité, la marque et le cercle convenables sur le fonds et au milieu de chaque tonneau: et pour faire voir que c'est du Hareng de la Grande Bretagne, on fera brûler au fond de chaque tonneau un B. couronné, aussi bien que l'an de la pêche de ce Hareng.

IV. Pour cette fin, le Senat s'oblige de choisir et constituer deux taxadeurs, ordinairement dits Wraquers et deux empacqueteurs; et afin qu'on ne les puisse pas soupçonner de partialité, ils feront un ferment solennel devant l'Honorable Senat, de taxer les Harengs Britanniques selon leur bonté et exacte valeur, et de les empacqueter avec tout le soin imaginable; lequel ferment, conforme au sens de cet Article, leur  
fera

sera réitéré tous les ans, au commencement de Juin, par les Députés du Senat.

V. Si les propriétaires, ou leurs commissionnaires, viennent en personne à Bremen avec leur Hareng, ils auront la liberté de le vendre indifféremment aux bourgeois ou habitans de la Ville, à qui ils voudront: mais si, dans l'espace de huit jours, ils ne pourroient débiter leurs Harengs à ceux-ci, il leur sera permis de les vendre à quiconque ils voudront, ou même de l'envoyer hors de la Ville, à tel endroit qu'ils jugeront convenable.

VI. Quand les propriétaires voudront envoyer leurs Harengs à des commissionnaires, pour les débiter, ils seront tenus de choisir pour commissionnaire un Marchand Britannique, demeurant à Bremen, ou quelque bourgeois de la Ville, qui alors le pourront vendre ou l'envoyer hors de la Ville, où bon leur semblera, selon le sens de l'Article précédent.

VII. Outre ce dont on est déjà convenu ci-dessus, les Sujets de Sa Majesté Britannique jouiront toujours des mêmes privileges et avantages dans ce trafic des Harengs, et tous autres commerces sans exception, qui sont déjà accordés, ou qui pourroient à l'avenir être accordés, aux Sujets d'aucune Puissance la plus favorisée.

VIII. De même, il est permis aux Sujets de Sa Majesté Britannique d'apporter à Bremen des Saumons, Merlus, Morues, et toute autre sorte de poissons, soit séchés ou fumés, en barriques ou salés; bien entendu qu'ils payent le droit d'entrée, ou la gabelle modique.

De la même maniere, il est réservé aux habitans et bourgeois de Bremen de négocier, selon leur ancienne coutume, aux Provinces des Royaumes Britanniques, d'y mener des marchandises, et de troquer ou changer contre ces sortes de poissons et d'autres denrées.

IX. Tout ce qui est contenu dans les précédens Articles, sera confirmé et ratifié par Sa Majesté Britannique et le Senat de Bremen, dans les formes authentiques et usitées, dans l'espace de six semaines, ou plutôt, si faire se peut; et les instrumens seront échangés dans le terme susmentionné.

En foi de quoi, et en vertu des Ordres et Plein-pouvoirs que nous susdits, l'Envoyé Extraordinaire de la Grande Bretagne, et les Deputés de Bremen, avons reçus de Sa Majesté le Roi de la Grande Bretagne, d'une part, et l'Honorable Senat, de l'autre, nous avons signé la présente Convention, et y avons fait apposer les sceaux de nos armes. Fait a Bremen, ce 17<sup>e</sup> d'Octobre 1731.

(L. S.) *Cyrill Wich.*  
(L. S.) *Chretien Schöne D.*  
(L. S.) *Gasp. à Rbeden.*

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PRUSSIA.

## P R U S S I A.

1701. **T**HE treaty of alliance between Great  
30 Dec. Britain, Prussia, and the States General, concluded at the Hague.

*Pap. Off.* I. 14.

*Roussel's Suppl. Corps Diplom.* tom.  
ii. part 2. p. 12.

1702. The treaty of alliance between Great  
18 Jan. Britain and Prussia, with the separate article, concluded at London.

*Pap. Off.* I. 15.

1702. The King of Prussia's accession to the  
18 Feb. grand alliance between the Emperor, Great Britain, and the States General.

*Pap. Off.* I. 16.

1719. The treaty between Great Britain and  
4 Aug. Prussia, with the separate and secret article, concluded at Berlin.

*Pap. Off.* I. 26.

1723. The treaty between Great Britain and  
10 Oct. Prussia, with the separate and secret articles, concluded at Charlottenburg.

*Pap. Off.* I. 27.

1725. The treaty between Great Britain, Prussia,  
3 Sept. and France, with the separate and secret articles, concluded at Hanover.

*Pap. Off.* I. 29.

*Treat.* 1732, vol. iv. p. 146.

*Treat.* 1785, vol. ii. p. 274.

1742. The treaty of defensive alliance between  
18 Nov. Great Britain and Prussia, with the separate  
and secret article, concluded at Westminster.  
*Pap. Off.* I. 32.
1745. The preliminary articles between Great  
13 Aug. Britain and Prussia, to serve as a basis for a  
treaty of peace between the King of Prussia,  
the Queen of Hungary, and the King of Poland.  
*Pap. Off.* I. 37, 38.
- 1756, The several conventions between Great  
to Britain and Prussia.  
1760. *Pap. Off.* I. 39, 40, 41, 42, 43, 44.  
*Treat.* 1785, vol. iii. p. 54—70.
1788. The treaty of defensive alliance, between  
13 Aug. Great Britain and Prussia, concluded at  
Berlin.

[The following is printed from the copy, which was published by authority.]

*The Treaty of Defensive Alliance between his Majesty the King of Great Britain, and his Majesty the King of Prussia.*

THEIR Majesties the King of Great Britain, and the King of Prussia, being animated with a sincere and equal desire to improve and consolidate the strict union and friendship, which having been transmitted to them by their ancestors, so happily subsist between them, and to concert the most proper measures for securing their mutual interests, and the general tranquillity of Europe, have resolved to renew and strengthen these ties by a treaty of defensive alliance; and they have authorized, for this purpose (to wit) his Majesty the King of Great Britain, the Sieur Joseph Ewart,

Ewart, his Envoy Extraordinary at the Court of Berlin; and his Majesty the King of Prussia, the Sieur Ewald Frederick, Count de Hertzberg, his Minister of State, and of the Cabinet, Knight of the Order of the Black Eagle: who, after reciprocally communicating their full powers to each other, have agreed upon the following articles:

I. There shall be a perpetual, firm, and unalterable friendship, defensive alliance, and strict and inviolable union, together with an intimate and perfect harmony and correspondence between the said most Serene Kings of Great Britain and Prussia, their heirs and successors, and their respective kingdoms, dominions, provinces, countries, and subjects, which shall be carefully maintained and cultivated, so that the contracting powers shall constantly employ, as well their utmost attention, as all those means which Providence has put in their power, for preserving at the same time the public tranquillity and security, for maintaining their common interests, and for their mutual defence and guaranty against every hostile attack; the whole in conformity to the treaties already subsisting between the high contracting parties, which shall remain in full force and vigour, and shall be deemed to be renewed by the present treaty, as far as the same shall not be derogated from, with their own consent, by posterior treaties, or by the present treaty.

II. In consequence of the engagement contracted by the preceding article, the two high contracting parties shall always act in concert for the maintenance of peace and tranquillity; and in case either of them should be threatened with a hostile attack by any power whatever, the other shall employ his most efficacious good offices for preventing hostilities, for procuring satisfaction to the injured party, and for effecting an accommodation in a conciliatory manner.

III. But if those good offices should not have the desired effect, in the space of two months, and either



of the two high contracting parties should be hostilely attacked, molested, or disturbed in any of his dominions, rights, possessions, or interests, or in any manner whatever, by sea or land, by any European power, the other contracting party engages to succour his ally without delay, in order to maintain each other reciprocally in the possession of all the dominions, territories, towns, and places, which belonged to them before the commencement of such hostilities: for which end, if his Prussian Majesty should happen to be attacked, his Majesty the King of Great Britain shall furnish to his Majesty the King of Prussia a succour of sixteen thousand infantry, and four thousand cavalry; and if his Britannic Majesty should happen to be attacked, his Majesty the King of Prussia shall likewise furnish to him a succour of sixteen thousand infantry, and four thousand cavalry; which respective succours shall be furnished in the space of two months after requisition made by the party attacked, and shall remain at his disposal during the whole continuance of the war in which he shall be engaged. These succours shall be paid and maintained by the required power, wherever his ally shall employ them; but the requiring party shall supply them, in his dominions, with such bread and forage as may be necessary, upon the footing to which his own troops are accustomed.

It is nevertheless agreed between the high contracting parties, that if his Britannic Majesty should be in the case of receiving the succour in troops from his Prussian Majesty, his Britannic Majesty shall not employ them out of Europe, nor even in the garrison of Gibraltar.

If the injured and requiring party should prefer succours in money to land forces, he shall have his choice: and in case of the two high contracting parties furnishing to each other the stipulated succours in money, such succours shall be computed at one hundred thousand florins, Dutch currency, per annum, for one thousand infantry, and at one hundred and twenty thousand  
thousand

thousand florins, of the like value, for one thousand cavalry, per annum, or in the same proportion by the month.

IV. In case the stipulated succours should not be sufficient for the defence of the requiring power, the required power shall augment them, according to the exigency of the case, and shall assist the former with his whole force, if circumstances shall render it necessary.

V. The high contracting parties hereby renew, in the most express terms, the provisional treaty of defensive alliance which they concluded at Loo, on the 13th of June in the present year, and they again engage and promise to act, at all times, in concert, and with mutual confidence, for maintaining the security, independence, and government of the republic of the United Provinces, conformably to the engagements which they have lately contracted with the said republic; that is to say, his Britannic Majesty, by a treaty concluded at the Hague, on the 15th of April, 1788, and his Prussian Majesty, by a treaty signed the same day at Berlin, which the said high contracting parties have communicated to each other.

And if it shall happen that, by virtue of the stipulations of the said treaties, the high contracting parties should be obliged to augment the succours to be given to the States General, above the numbers specified in the said treaties, or to assist them with their whole force, the said high contracting parties will concert together upon all that may be necessary relative to such augmentation of succours to be agreed on, and to the employment of their respective forces for the security and defence of the said republic.

In case either of the said high contracting parties should happen, at any time hereafter, to be attacked, molested, or disturbed, in any of his dominions, rights, possessions, or interests, in any manner whatever, by sea or by land, by any other power, in consequence  
and

and in hatred of the articles or stipulations contained in the said treaties, or of the measures to be taken by the said contracting parties respectively, in virtue of those treaties, the other contracting party engages to succour and assist him against such attack, in the same manner, and by the same succours as are stipulated in the third and fourth articles of the present treaty; and the said contracting parties promise, in all similar cases, to maintain and guaranty each other in the possession of all the dominions, towns, and places, which belonged to them respectively before the commencement of such hostilities.

VI. The present treaty of defensive alliance shall be ratified by each party, and the ratifications shall be exchanged in the space of six weeks, or sooner, if it can be done.

In witness whereof, we the underwritten, being authorized by the full powers of their Majesties the Kings of Great Britain and of Prussia, have in their names signed the present treaty, and have thereto set the seals of our arms.

Done at Berlin, the thirteenth of August, in the year of our Lord one thousand seven hundred and eighty-eight.

(L. S.) *Joseph Ewart.* (L. S.) *Ewald Frederic,*  
Comte de Hertzberg.

## The STATES GENERAL.

1578.  
7 Jan. **T**HE treaty of alliance between Queen Elizabeth and the States General  
*Trait de Paix*, tom. ii. p. 391.  
*Treat.* 1732, vol. ii. p. 81.
1585.  
10 Aug. The treaty between the same parties, concluded at Nonfuch.  
*Trait de Paix*, tom. ii. p. 512.  
*Treat.* 1732, vol. ii. p. 83.
1598.  
16 Aug. The treaty and renewment of alliance between Queen Elizabeth and the States General, concluded at Westminster.  
*Rym. Fœd.* vol. xvi. p. 340.  
*Treat.* 1732, vol. ii. p. 120.  
*Trait de Paix*, tom. ii. p. 631.
1608.  
27 June. The defensive and commercial treaty between King James and the States General.  
*Pap. Off. D.* 1.  
*Rym. Fœd.* vol. xvi. p. 687.
1624.  
5 June. The treaty for continuing the defensive league between King James and the States General, in 1608, concluded at London.  
*Pap. Off. D.* 3.  
*Treat.* 1732, vol. ii. p. 226.  
*Trait de Paix*, tom. iii. p. 213.
1625.  
17 Sept. The treaty of alliance offensive and defensive, between Charles I. King of Great Britain and the States General, concluded at Sourchampton.  
*Pap. Off. D.* 4.  
*Treat.* 1732, vol. ii. p. 248.  
*Trait de Paix*, tom. iii. p. 231.

1654. The treaty of peace and union between Oliver Cromwell and the States General, concluded at Westminster.

*Pap. Off.* D. 8.

*Treat.* 1732, vol. iii. p. 67.

*Treat.* 1785, vol. i. p. 44.

*Trait de Paix*, tom. iii. p. 647.

1661. The convention for the regulation of the posts between England and the United Provinces, concluded at London.

*Treat.* 1732, vol. iii. p. 234.

*Treat.* 1785, vol. i. p. 159.

1667. The articles of peace and alliance between King Charles II. and the United Netherlands, concluded at Bredah.

1668. The triple league between Great Britain, the States General, and Sweden, concluded at the Hague.

*Pap. Off.* D. 13.

*Treat.* 1732, vol. i. p. 136.

1667. The treaty of commerce betwixt Great Britain and Holland, concluded at the Hague.

*Pap. Off.* D. 14.

*Treat.* 1732, vol. i. p. 146.

*Treat.* 1785, vol. i. p. 190.

1668. The treaty between Great Britain, France, and Holland, for procuring a peace between France and Spain, concluded at St. Germain en leye.

*Treat.* 1732, vol. i. p. 152.

*Treat.* 1785, vol. i. p. 193.

1673. The treaty of peace between Great Britain and Holland, concluded at Westminster.

*Pap. Off.* D. 17.

*Treat.* 1732, vol. iii. p. 275.

1788.] WITH THE STATES GENERAL. 125

1674. The marine treaty between Great Britain  
1 Dec. and Holland, concluded at London.  
*Pap. Off. D. 18.*

1675. The articles between King Charles II. and  
8 Mar. the States General, for preventing disputes  
between the English and Dutch East India  
Companies.  
*Pap. Off. D. 21.*

1678. The treaty of a defensive alliance between  
<sup>16</sup>/<sub>17</sub> Jan. Great Britain and the States General, with  
the separate articles, concluded at the Hague.  
*Pap. Off. D. 24.*  
*Treat. 1732, vol. i. p. 177.*  
*Treat. 1785, vol. i. p. 211.*

1678. The treaty of defensive alliance between  
3 Mar. Great Britain and the States General, con-  
cluded at Westminster.  
*Pap. Off. D. 26.*  
*Treat. 1732, vol. i. p. 183.*

1678. The treaty of alliance between Great Bri-  
<sup>15</sup>/<sub>17</sub> July. tain and the States General, concluded at  
the Hague.  
*Pap. Off. D. 28.*  
*Treat. 1732, vol. i. p. 188.*

1689. The grand alliance between Great Bri-  
12 May. tain, the Emperor, and the States General,  
20 Dec. concluded at Vienna.  
*Pap. Off. D. 30.*  
*Treat. 1732, vol. i. p. 275.*

1689. The treaty of alliance between England  
24 Aug. and Holland, concluded at Whitehall.  
*Pap. Off. 32.*  
*Treat. 1732, vol. i. p. 287.*

1690. The treaty between Great Britain, Hol-  
20 Oct. land, and Savoy, with the secret article, con-  
cluded at the Hague.

*Treat.* 1732, vol. iii. p. 334.

*Treat.* 1785, vol. i. p. 286.

1698. The convention between Great Britain,  
1<sup>st</sup> May. Sweden, and the States General, for a de-  
fensive league, concluded at the Hague.

*Pap. Off.* D. 36.

*Treat.* 1732, vol. iii. p. 344.

1698. The first treaty of partition in favour of  
21 Oct. the Electoral Prince of Bavaria, made be-  
twixt Great Britain, France, and the States  
General, concluded at the Hague.

*Pap. Off.* 38.

*Treat.* 1732, vol. i. p. 386.

*Treat.* 1785, vol. i. p. 305.

1700. The treaty of alliance between Great Bri-  
1<sup>st</sup> Jan. tain, Sweden, and the States General, usu-  
ally called The Second Partition Treaty,  
with the secret and separate articles, con-  
cluded at the Hague.

*Pap. Off.* 39.

*Treat.* 1732, vol. iii. p. 347.

*Treat.* 1785, vol. i. p. 313.

1701. The treaty of alliance between Great Bri-  
20 Jan. tain, Denmark, and the States General,  
concluded at Odensee.

*Treat.* 1785, vol. i. p. 331.

1709. The treaty between Great Britain and the  
29 Oct. States General, for securing the succession  
to the crown of Great Britain, and for set-  
tling a barrier to the States General, with  
the separate articles, concluded at the  
Hague.

*Pap. Off.* 50.

*Treat.* 1785, vol. i. p. 354.

1713. The treaty of guaranty for the Protestant  
29 Jan. succession to the crown of Great Britain,  
 13 Feb. and for the barrier of the States General,  
 concluded at Utrecht.

*Pap. Off. D.* 55.

*Treat.* 1785, vol. i. p. 364.

1716. The treaty between Great Britain and the  
 6 Feb. States General, for renewal of former alli-  
 ances and conventions.

*Pap. Off. D.* 58.

1717. The treaty of alliance between Great Bri-  
 4 Jan. tain, France, and the States General, for the  
 guaranty of the treaties of Utrecht.

*Pap. Off. D.* 59.

*Roussel's Recueil Historique*, tom. i.  
 p. 89.

*Treat.* 1785, vol. ii. p. 185.

1718. The treaty usually called The Quadruple  
22 July. Alliance, between Great Britain, France, and  
 2 Aug. the States General, concluded at London.

*Roussel's Recueil Historique*, tom. i.  
 p. 180.

*Treat.* 1785, vol. ii. p. 199.

1718. The convention between the Emperor,  
 22 Dec. Great Britain, and the States General, for  
 executing certain articles of the barrier trea-  
 ty, signed at the Hague.

*Pap. Off. D.* 61.

*Roussel's Recueil Historique*, tom. i.  
 p. 400.

*Treat.* 1785, vol. ii. p. 228.

1726. The accession of the States General to  
 9 Aug. the treaty of Hanover, 1725.

*Pap. Off. D.* 64.

*Roussel's Recueil Historique*, tom.  
 iii. p. 166.

*Treat.* 1785, vol. ii. p. 281.



1731. The treaty of peace and alliance between  
16 Mar. the Emperor, Great Britain, and the States  
General, concluded at Vienna.

*Pap. Off. D. 72.*

*Roussel's Recueil Historique*, vol. vi.

p. 13.

*Roussel's Suppl. au Corps Diplomatique*, tom. ii. part 2, p. 288.

*Treat. 1785*, vol. ii. p. 318.

1748. The treaty of peace between Great Bri-  
18 Oct. tain, France, and the States General, con-  
cluded at Aix-la-Chapelle.

*Pap. Off. D. 88.*

*Treat. 1785*, vol. ii. p. 370.

*See this Treaty*, vol. i. Table of  
Contents, art. FRANCE.

1784. The treaty of peace between Great Bri-  
20 May. tain and the States General, concluded at  
Paris. *Treat. 1785*, vol. iii. p. 427.

1788. The treaty of defensive alliance between  
15 Apr. Great Britain and the States General, con-  
cluded at the Hague.

*An Agreement and Convention, for the Regulation and  
speedy Dispatch of the Posts, betwixt England and  
the United Provinces. At London, April 11,  
1661.*

Articles drawn up and agreed to between his Excel-  
lency Simon van Hoorn, Ambassador of the High  
and Mighty Lords the States General of the Uni-  
ted Provinces of the Netherlands, in the name and  
by order of the venerable Lords the Burgomasters  
and Counsellors of Amsterdam, and of Henry Ja-  
cob vander Heyden, Post-master of certain towns  
in the United Provinces, on one part; and Henry  
Bishop, Esq; Master of the General Posts of all  
England,

England, and from thence to all other kingdoms and countries, on the other part, in the 10th year of the reign of Charles II. King of England, Scotland, &c. Defender of the Faith.

IT has been reciprocally promised and agreed betwixt the said Simon van Hoorn, in name and by order of the said Lords the Burgomasters and the Magistrates of Amsterdam, as also of the said Henry Jacob vander Heyden, and the said Henry Bishop, that a way and a method should be concerted which might be more commodious and more expeditious than those hitherto made use of for the sending of letters every week precisely from England to the United Provinces, and from the United Provinces to England, in such manner that letters should be brought every week directly from England to some harbour of the said United Provinces, and in like manner from the said United Provinces to England.

For this end the following articles have been considered and agreed to between the parties, viz.

The said Henry Bishop has agreed with and promised the said Lord Simon van Hoorn, as the person vested with the full powers of the said Lords the Burgomasters and the Magistracy of Amsterdam, and of Henry Jacob vander Heyden, that he will keep ready, and maintain at his own expence, a sufficient number of vessels, built in England, by which once a week upon a certain day fixed, viz. Saturday, packets of letters shall be brought from England to Amsterdam, and other towns and offices of the United Provinces; and that care shall be taken that the said packets of letters shall be carried beyond sea, with as much expedition as the wind and weather will permit, and that they shall be safely delivered at Helvoetsluys, Flushing, or some other harbour which the contracting parties shall agree on, unless hindered by some misfortune that happens at sea.

Also the said Henry Bishop shall so order it, that the packets of letters which shall be sent from Amsterdam, or any other place in the United Provinces, be taken in every Saturday at such ports, and that they be carried in like manner to the ports of England, with as much expedition as the wind and weather will permit, and from thence forwarded to the offices at London, for delivery to such persons as they shall be directed to.

Moreover, the said Henry Bishop has agreed and promised the said Lord Simon van Hoorn, in the name and character as above, and made the like agreement with the said vander Heyden, that he will keep an exact account of the weight of all packets of letters that shall be sent by the way of Amsterdam to Hamburgh and Dantzic, or to any part of Italy or the North; and that computing from the day when the said account shall commence, he will cause a payment to be made every three months to the Lords Burgomasters and Magistrates of Amsterdam, at the rate of an English shilling for every ounce weight of letters that shall be sent that way to Hamburgh, Italy, or the northern countries.

The said Henry Bishop likewise promises the said Lords the Burgomasters and Magistrates of Amsterdam, to pay them 12*d.* English for every ounce weight of letters from Italy, that shall be sent through the said city of Amsterdam to England; and as to the letters from Hamburgh, Dantzic, and the North, which are directed for England, they shall pay the common postage at Amsterdam, as was formerly practised at Antwerp.

In consideration of which, the said Henry Jacob vander Heyden promises the said Henry Bishop (the said Lords Burgomasters and the Magistrates of Amsterdam engaging in like manner to perform this contract, as far as concerns them) to pay or order to be paid the sum of 500*l.* sterling every year for the charge and maintenance of the said ships; which sum, to be paid

paid quarterly, viz. 125*l.* every three months, shall commence from the 25th of December next ensuing the date and subscription of this contract. And if it happen that the said sum of 500*l.* or a part thereof, be not paid to the said Henry Bishop in the manner aforesaid, by the said vander Heyden, in that case the said Lords the Burgomasters engage themselves, and promise to pay it to the said Bishop, or his order.

And the said Lords Burgomasters and Magistrates of Amsterdam do further promise the said Henry Bishop, to establish and carry on a constant post every week for Hamburg and Dantzic, and for all the trading towns of Germany, the North, and Italy; and also that the said post shall make as much dispatch both forward and backward as ever any post did or can do, in these provinces; and that it shall keep a regular time and method both in setting out from Amsterdam, in arriving there, and in setting out from thence for England, and the like to all the other towns of the United Provinces. Whereupon the said Jacob vander Heyden obliges himself, and promises to settle fit persons in the towns, and especially at the ports, (which places shall hereafter be named by the parties) there to wait for, and receive all packets of letters that shall be brought over by the vessels of the said Henry Bishop, and to send them from one town to another with all speed, and with the same expedition to bring packets of letters from those towns to the harbours, and to put them on board the vessels of the said Bishop, which shall lie ready to receive them: the Lords Burgomasters and the Magistrates of Amsterdam promising also to cause the same to be executed accordingly, as far as it relates to them.

Moreover, the said Henry Jacob vander Heyden obliges himself (the Lords Burgomasters of Amsterdam promising it also on their part) that he will take care that the salaries of the clerks appointed, or to be appointed for that end in the several places,

shall be paid punctually and without delay ; and that there shall be always at Amsterdam, and the other towns of the United Provinces, a sufficient number of clerks capable to receive, distribute, and send all the packets that shall be received and sent, to maintain a continual correspondence with the said Henry Bishop's post-masters, and to keep exact registers of all the packets received or sent, and of their weight.

The Lords Burgomasters and the Magistrates of Amsterdam do likewise promise the said Henry Bishop, to give orders that the postage of letters from England to Amsterdam be so regulated, as not to exceed the rate that was paid for them, when they were brought by the way of Antwerp.

By means hereof, a firm and true friendship will be established between the parties, with a sincere correspondence, for the reciprocal profit and advantage of both parties ; and if any difference happen between them, relating to the performance and execution of the said articles and conditions, they shall be referred to the decision of some impartial arbitrators, who shall be named on both sides, and in whose award both sides shall acquiesce.

The parties have also agreed, that if any packets of the merchants, or other parcels necessary to be communicated, be put into their hands, they shall be sent on an extraordinary day, without staying for Saturday, which is the day intended for the common letters ; but if for this reason the said Henry Bishop be obliged to keep a greater, or twice the number of vessels, in such case the said vander Heyden shall take care, with the assistance of the Lords the Burgomasters and the Magistrates of Amsterdam, to pay or cause to be paid to the said Bishop, at the end of every quarter, the sum of sixty-two pounds sterling, towards defraying the extraordinary charge of the vessels. And to the end it may appear that the parties are agreed in all the articles above written, they

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they have signed them with their own hands. Done at London the 11th of April, 1661.

(Signed) *Simon Van Hoorn.*  
*Henry Bishop.*

And underneath,  
We the underwritten are witnesses to this instrument.

*John Widman.*  
*Van Hulst.*

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[The following is printed from the copy published by authority in 1686.]

*Articles of Peace and Alliance between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the High and Mighty Lords, the States General of the United Netherlands, concluded the 3<sup>d</sup> Day of July, 1667.*

I. FIRST, that from this day there be a true, firm, and inviolable peace, sincere friendship, a nearer and straiter alliance and union between the Most Serene King of Great Britain, and the High and Mighty States General of the United Provinces of the Netherlands, and the lands, countries, and cities under the obedience of both parties, wheresoever situate, and their subjects and inhabitants, of what degree soever they be.

II. Also, that for the time to come, all enmities, hostilities, discords, and wars, between the said Lord the King, and the foresaid Lords the States General, and their subjects and inhabitants, cease and be abolished; and that both parties do altogether forbear and abstain from all plundering, depredation, harm-doing, injuries, and infestation whatsoever, as well by land

as by sea, and in fresh-waters, every where; and especially through all tracts, dominions, places, and governments (of what condition soever they be) within the jurisdiction of either party.

III. Also, that all offences, injuries, damages, losses, which his said Majesty and his subjects, or the foresaid States General and their subjects, have on either side sustained during this war, or at any time whatsoever heretofore, upon what cause or pretence soever, be buried in oblivion, and totally expunged out of remembrance, as if no such things had ever past.

Furthermore, that the foresaid peace, friendship, and alliance may stand upon firm and unshaken foundations, and that from this very day all occasions of new dissention and difference may be cut off; it is further agreed, that both the parties, and either of them, shall keep and possess hereafter, with plenary right of sovereignty, propriety, and possession, all such lands, islands, cities, forts, places, and colonies (how many soever) as during this war, or in any former times before this war, they have by force of arms, or any other way whatsoever, gotten and detained from the other party, and that, altogether after the same manner as they had gotten and did possess them the  $\frac{1}{20}$  day of May last past, none of the same places being excepted.

IV. Moreover, that all ships, with their furniture and merchandize, and all moveables, which during this war, or at any time heretofore, have come into the power of either of the forementioned parties, or their subjects, be and remain to the present possessors, without any compensation or restitution; so as each one become and remain proprietor and possessor for ever of that which was so gotten, without any controversy, or exception of place, time, or things.

V. Moreover, that all actions, suits, and pretensions, whatsoever they be, or in what manner soever they have been restrained, circumscribed, defined, or reserved,

ferred, in any articles of peace or alliance already made (and especially in the fifteenth article of that treaty which was signed in the year 1662) which his said Majesty and the said States General, or their subjects, may or would prosecute or move against one another about such matters or things as have happened during this war, or in any former times, as well before as after the foresaid treaty of 1662, until the day of this present alliance, be and remain void, obliterated, and disannulled; as his said Majesty and the said States General shall declare, and they do hereby declare, that by virtue of these presents they will for ever totally renounce, even as hereby they do renounce, all such actions, suits, and pretensions, for themselves and their successors, so as in regard of them nothing more may or ought ever to be urged on either side, and nothing to be moved thereupon hereafter.

VI. But if after the  $\frac{1}{4}^{\circ}$  day of May, expressed in the precedent third article, or after the peace is made, or this treaty signed, either party shall intercept and get from the other any lands, islands, cities, forts, colonies, or other places whatsoever, all and every of them, without any distinction of place or time, shall be restored *bonâ fide* in the same state and condition wherein they shall be found to be at the time whensoever it shall be known in those places that the peace is made.

VII. But to avoid all matter of strife or contention hereafter, that useth sometimes to arise concerning the restitution or liquidation of such ships, merchandize, and other moveables, as both parties, or either of them, may pretend to have been taken or gotten in places and coasts far distant, after the peace is concluded, and before it be notified unto those places; it is agreed, that all such ships, merchandize, and other moveables, which may chance to fall into either party's hands after the conclusion and publication of the present instrument, in the Channel or British sea, within the space



of twelve days, and the same in the North sea; and within the space of six weeks, from the mouth of the Channel unto the Cape of St. Vincent; as also within the space of ten weeks beyond the said Cape, and on this side the Equinoctial Line or Equator, as well the ocean and Mediterranean sea, as elsewhere; and from thence within the space of eight months, beyond the terms of the foresaid Line, throughout all the world, shall be and remain unto the possessors, without any exception or further distinction of time or place, or any regard had to the making of restitution or compensation.

VIII. It is also agreed, that under the foresaid renunciation and stipulation, all letters whatsoever of reprisal, marque, and counter-marque, both general and particular, and others of that kind, by virtue whereof any hostility may be exercised for the future, ought also to be reckoned and comprehended; and by the public authority of this alliance they are inhibited and revoked. And if any persons of either nation, after such revocation, shall nevertheless, under pretence or authority of such letters or commissions already revoked, design any new mischief, or act any hostility, after the peace is made, and the times specified in the precedent seventh article are elapsed, they are to be looked upon as disturbers of the public peace, and punished according to the law of nations, besides an entire restitution of the thing taken, or full satisfaction of damages, to which they shall be liable; notwithstanding any clause whatsoever to the contrary, which may be inserted in the said letters revoked as aforesaid.

IX. And whereas in countries far remote, as in Africa and America, especially in Guinea, certain protestations and declarations, and other writings of that kind, prejudicial to the liberty of trade and navigation, have been emitted and published on either side by the governors and officers in the name of their superiors; it is in like manner agreed, that all and every such protestations,

tations, declarations, and writings aforesaid, be abolished, and held hereafter for null and void; and that both the above-mentioned parties, and their inhabitants and subjects, use and enjoy the same liberty of trade and navigation, as well in Africa as in America, which they used and enjoyed, or of right might use and enjoy, at that time when the treaty of the year 1662 was subscribed.

X. Also, that prisoners on both sides, one and all, of what degree, dignity, or condition soever they be, shall be set at liberty, without ransom, or any other price of their freedom; provided satisfaction be made by them for debts which they have contracted for diet or any other lawful cause.

XI. That the said King of Great Britain, and the said States General, remain friends, confederate, united, and allied, for the defence and preservation of the rights, liberties, and immunities of either ally and their subjects, against all whomsoever, who shall endeavour to disturb the peace of either's state by sea or land, or such as living within either's dominions, shall be declared public enemies to either.

XII. That neither the said King of Great Britain, nor the said States General, shall act, do, endeavour, treat, or attempt any thing against the other, or the subjects of either, any where, by land or sea, or in any ports, liberties, creeks, or fresh-waters, upon any occasion whatsoever; and that neither they, nor the subjects of either of them, shall give, afford, or supply any aid, counsel, or favour, nor consent that any thing be done, treated, or attempted by any other whosoever, to the harm or prejudice of the other, or the subjects of either; but shall expressly and actually oppose, contradict, and really hinder all whomsoever, residing or dwelling in either the respective dominions, who shall act, do, treat, or attempt any thing against either of them.

XIII. That

XIII. That neither the said King, nor the said Commonwealth, nor any of the subjects of either, inhabiting or residing within their jurisdiction, shall cherish and assist the rebels of either party with any succour, counsel, or favour whatsoever; but shall expressly oppose, and effectually hinder all persons abiding, residing, or dwelling in either of their dominions, from supplying or furnishing any of those foresaid rebels, by sea or land, with any succour or assistance, either in men, ships, arms, warlike furniture, or other prohibited goods, or with money, provisions, or victuals: and all ships, arms, warlike furniture, or other forbidden goods, also money and provisions belonging to any person or persons whatsoever, which shall be supplied or furnished contrary to the meaning of this article, shall be confiscate and forfeited to that party where the persons offending shall be: and those who shall wittingly and willingly act, commit, attempt, or advise any thing contrary to the sense of this article, shall be judged enemies of both parties, and shall be punished as traitors, there where the offence shall be committed. But as touching the specification of prohibited or contraband goods, it shall be provided for hereafter.

XIV. That the said King of Great Britain, and the said States General, shall mutually, sincerely, and faithfully (as there is occasion) assist each other against the rebels of either, by sea or land, with men and ships, at the cost and charges of the parties who desire the same, in such proportion and manner, and upon such conditions, as afterward shall be agreed, and the present occasion shall require.

XV. That neither the said King, nor the said Commonwealth, nor the subjects of either, shall in any of their jurisdictions, countries, lands, havens, sea-ports, creeks, receive any rebel or rebels, fugitive or fugitives, of the other party, declared, or to be declared, nor shall give or yield unto such declared rebels and fugitives,

fugitives, in the places aforesaid, or elsewhere, though without their lands, countries, havens, sea-ports, creeks, or jurisdictions, any help, counsel, lodging, soldiers, ships, money, arms, ammunition, or victuals: as also neither of the states shall permit that such rebels or fugitives be received by any person or persons within their jurisdictions, countries, lands, sea-ports, havens, creeks, nor suffer that any help, counsel, lodging, favour, arms, ammunition, soldiers, ships, monies, or provision be given or yielded to such rebels and fugitives; but shall expressly and effectually oppose and really hinder the same.

XVI. That in case either of them by their public and authentic letters shall make known and declare unto the other, that any person or persons are or have been a rebel or rebels, fugitive or fugitives, and that they or any of them have been received, or reside, lie hid, or seek shelter, in their jurisdictions, lands, countries, sea-ports, or in any of them; then that party who shall have received such letters, or to whom such notice shall be given, or declaration made, shall within the space of twenty-eight days, to be accounted from the day that such notice was given, be bound to charge and command such rebel or rebels, fugitive or fugitives, to withdraw and depart out of their jurisdictions, lands, dominions, countries, and every of them: and in case any of the said rebels or fugitives do not withdraw and depart within fifteen days after such charge or command so given, then that they be punished with death, and loss of lands and goods.

XVII. That no rebel of the said King of Great Britain shall be received into any of the castles, cities, havens, jurisdictions, or other places, privileged or not privileged, which any person, of what dignity or degree soever he be, or shall be, hath within the dominions or territories of the United Provinces, by what right or title soever he doth or shall hold or possess the same, nor be permitted to be received into, or remain  
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in them, by any person, of what quality or degree soever he be. Neither shall the said States General permit or suffer, that in any of the aforesaid any assistance, counsel, or favour, with ships, money, or provision, or in any other manner, be given or afforded unto any such rebel, by any person of what degree or quality soever he be, but shall openly and expressly forbid and effectually hinder the same. And if any person or persons, of what degree or quality soever they be, dwelling or remaining within the dominions of the said United Provinces, or under their command, shall act any thing contrary to this agreement, that then all and singular such persons so doing shall, for term of their lives respectively, lose and forfeit all such castles, towns, villages, lands, and other places which they or any of them at that time have, or pretend to have, by what right or title soever. In like manner, no rebel of the said states of the United Provinces shall be received into any castles, towns, havens, or other places, or any of them, privileged or not privileged, which any person or persons, of what degree or quality soever they be, and by what right or title soever he or they do or shall hold and possess, within the kingdoms or dominions of his said Majesty of Great Britain: nor shall such rebel be suffered to be received by any person or persons whatsoever, or there to remain; neither shall the King of Great Britain permit or suffer, that any counsel, assistance, or favour, in any of the said places, with ships, men, money, victuals, or in any other manner, be given or afforded unto any such rebel, by any such person or persons, of what degree or quality soever they be, but shall openly and expressly forbid and effectually hinder the same. And in case any of the subjects of the said King, or within his dominions, shall do or attempt any thing against this agreement, that all and every person so offending shall in like manner, for their respective lives, lose and forfeit all such castles, cities, towns, lands, and other places,  
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fugitives, in the places aforesaid, or elsewhere, though without their lands, countries, havens, sea-ports, creeks, or jurisdictions, any help, counsel, lodging, soldiers, ships, money, arms, ammunition, or victuals: as also neither of the states shall permit that such rebels or fugitives be received by any person or persons within their jurisdictions, countries, lands, sea-ports, havens, creeks, nor suffer that any help, counsel, lodging, favour, arms, ammunition, soldiers, ships, monies, or provision be given or yielded to such rebels and fugitives; but shall expressly and effectually oppose and really hinder the same.

XVI. That in case either of them by their public and authentic letters shall make known and declare unto the other, that any person or persons are or have been a rebel or rebels, fugitive or fugitives, and that they or any of them have been received, or reside, lie hid, or seek shelter, in their jurisdictions, lands, countries, sea-ports, or in any of them; then that party who shall have received such letters, or to whom such notice shall be given, or declaration made, shall within the space of twenty-eight days, to be accounted from the day that such notice was given, be bound to charge and command such rebel or rebels, fugitive or fugitives, to withdraw and depart out of their jurisdictions, lands, dominions, countries, and every of them: and in case any of the said rebels or fugitives do not withdraw and depart within fifteen days after such charge or command so given, then that they be punished with death, and loss of lands and goods.

XVII. That no rebel of the said King of Great Britain shall be received into any of the castles, cities, havens, jurisdictions, or other places, privileged or not privileged, which any person, of what dignity or degree soever he be, or shall be, hath within the dominions or territories of the United Provinces, by what right or title soever he doth or shall hold or possess the same, nor be permitted to be received into, or remain  
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in them, by any person, of what quality or degree soever he be. Neither shall the said States General permit or suffer, that in any of the aforesaid parts any assistance, counsel, or favour, with ships, or money, or provision, or in any other manner, be given or afforded unto any such rebel, by any person of what degree or quality soever he be, but shall openly and expressly forbid and effectually hinder the same. And if any person or persons, of what degree or quality soever they be, dwelling or remaining within the dominions of the said United Provinces, or under their command, shall act any thing contrary to this agreement, that then all and singular such persons so doing shall, for term of their lives respectively, lose and forfeit all such castles, towns, villages, lands, and other places which they or any of them at that time have, or pretend to have, by what right or title soever. In like manner, no rebel of the said states of the United Provinces shall be received into any castles, towns, havens, or other places, or any of them, privileged or not privileged, which any person or persons, of what degree or quality soever they be, and by what right or title soever he or they do or shall hold and possess, within the kingdoms or dominions of his said Majesty of Great Britain: nor shall such rebel be suffered to be received by any person or persons whatsoever, or there to remain; neither shall the King of Great Britain permit or suffer, that any counsel, assistance, or favour, in any of the said places, with ships, men, money, victuals, or in any other manner, be given or afforded unto any such rebel, by any such person or persons, of what degree or quality soever they be, but shall openly and expressly forbid and effectually hinder the same. And in case any of the subjects of the said King, or within his dominions, shall do or attempt any thing against this agreement, that all and every person so offending shall in like manner, for their respective lives, lose and forfeit all such castles, cities, towns, lands, and other places, which

which they or any of them at that time hath, or shall pretend to have, by any right or title whatsoever.

XVIII. That the said King of Great Britain and his subjects, and all the inhabitants of his Majesty's dominions, and also the said United Provinces, and their subjects and inhabitants, of what rank or condition soever they be, shall be bound to use each other kindly and friendly in every thing; so that they may freely and safely pass by land or by water into each other's countries, cities, towns walled or unwalled, fortified or not fortified, and their havens, and all other their dominions situate in Europe, to continue and abide therein so long as they shall please, and may there buy so much provisions as are necessary for their use, without any hinderance: and that likewise they may trade and traffic in goods and commodities of all sorts, as to them shall seem fit, and them to export and import at their pleasure, paying the usual duties, saving to each country their particular laws and customs. Provided that the subjects and inhabitants of either side, exercising their trade in each other's countries and dominions, shall not be obliged hereafter to pay any more customs, impost, or other duties, than according to that proportion which other foreign nations trading in the said places do usually pay.

XIX. That the ships and vessels of the said United Provinces, as well men of war as others, meeting any men of war of the said King of Great Britain's in the British seas, shall strike the flag, and lower the top-sail in such manner as the same hath been formerly observed in any times whatsoever.

XX. And, for the greater freedom of commerce and navigation, it is agreed and concluded, that the said King of Great Britain, and the said States General, shall not receive into their havens, cities, and towns, nor suffer that any of the subjects of either party do receive, pirates or sea-rovers, or afford them any entertainment, assistance, or provision; but shall endeavour



endeavour that the said pirates and sea-rovers, or their partners, sharers, and abettors, be found out, apprehended, and suffer condign punishment, for the terror of others: and all the ships, goods, and commodities piratically taken by them, and brought into the ports of either party, which can be found, nay, although they be sold, shall be restored to the right owners, or satisfaction shall be given either to their owners, or to those who by letters of attorney shall challenge the same; provided the right of their propriety be made to appear in the court of admiralty by due proofs according to law.

XXI. It shall not be permitted to the subjects of the said King of Great Britain, and the inhabitants of the kingdoms and countries under his obedience, or to the inhabitants and subjects of the said United Provinces, to do or offer any hostility or violence to each other, either by land or by sea, upon any pretence or colour whatsoever: and consequently it shall not be lawful for the said subjects or inhabitants to get commissions or letters of reprisal from any prince or state, with whom either of the confederates are at difference, or in open war; and much less by virtue of those letters to molest or damnify the subjects of either party. Neither shall it be lawful for any foreign private men of war, who are not subjects to one nor the other party, having commissions from any other prince or state, to equip their ships in the harbours of either of the aforesaid parties, or to sell or ransom their prizes, or any other way to truck, as well the ships and goods as any other lading whatsoever, And it shall not be lawful for them to buy any victual, but what shall be necessary to bring them to the next port of that prince from whom they obtained their said commissions. And if perchance any of the subjects of the said King of Great Britain, or of the said States General, shall buy or get to themselves by truck, or any other way, such ship or goods which have been taken by the subjects of one or the other party; in such

such case the said subject shall be bound to restore the said ship or goods to the proprietors without any delay, and without any compensation or reimbursement of money paid or promised for the same; provided that they make it appear before the council of the said King of Great Britain, or before the said States General, that they are the right owners or proprietors of them.

XXII. That in case the said King of Great Britain, or the said States General, do make any treaty of amity or alliance with any other kings, republics, princes, or states, they shall therein comprehend each other and their dominions, if they desire to be therein comprehended; and shall give to the other notice of all such treaties, or friendship and alliance.

XXIII. That in case it happen, during this friendship, confederacy, and alliance, any thing shall be done or attempted by any of the subjects or inhabitants of either party against this treaty, or any part thereof, by land, sea, or fresh-waters, that nevertheless this amity and alliance between the said nations shall not thereby be broken or interrupted, but shall remain and continue in its full force; and that only those particular persons shall be punished, who have committed any thing against this treaty, and none else; and that justice shall be rendered and satisfaction given to all persons concerned, by all such who have committed any thing contrary to this treaty, by land or sea, or other waters, in any part of Europe, or any places within the Straits, or in America, or upon the coasts of Africa, or in any lands, islands, seas, creeks, bays, rivers, or in any places on this side the Cape of Good Hope, within twelve months space after justice shall be demanded; and in all places whatsoever on the other side the Cape (as hath been abovesaid) within eighteen months next ensuing after demand of justice shall be made in manner aforesaid. But in case the offenders against this treaty do not appear, and submit

mit themselves to judgment, and give satisfaction within the respective times above expressed, proportionable to the distance of the places, they shall be declared enemies of both parties, and their estates, goods, and revenues whatsoever, shall be confiscated for due and full satisfaction of the injuries and wrongs by them offered; and their persons also, when they come within the dominions of either party, shall be liable unto such punishments as every one shall deserve for his respective offences.

XXIV. That the subjects of the said King of Great Britain, and those which are under his jurisdiction, may freely and securely travel in all the provinces of the Low Countries, and all their dominions in Europe, and through them by sea or land pass to other places there or beyond them, and through all quarters of the United Provinces, cities, forts, or garrisons whatsoever, which are in any parts of the United Provinces, or elsewhere in their dominions in Europe, as well they themselves exercising trade in all those places, as their agents, factors, and servants may go armed or unarmed (but if armed, not above forty in a company) as well without their goods and merchandizes as with them, wheresoever they please. The people also and inhabitants of the United Provinces shall enjoy the same liberty and freedom in all the dominions of the said King in Europe; provided that they, and every of them, do in their trade and merchandizing yield obedience to the laws and statutes of either nation respectively.

XXV. That in case the merchant-ships of the subjects of either nation shall by storm, pirates, or any other necessity whatsoever, be driven into any haven of either dominion, they may depart securely and at their pleasure, with their ships and goods, without paying any customs or other duties; provided they break no bulk, nor sell any thing; nor shall they be subject to any molestation or search, provided they do

not receive on board any persons or goods, nor do any thing else contrary to the laws, ordinances, or customs of the places where they (as aforesaid) shall happen to arrive.

XXVI. That the merchants, masters, and seamen of either party, their ships, goods, wares, or merchandizes, shall not be arrested or seized in the lands, havens, roads, or rivers of the other, to serve at war, or any other use, by virtue of any general or special command, unless upon an extraordinary necessity; and that just satisfaction be given for the same; but so as the same shall not derogate from the seizures and arrests duly made in the ordinary courts of justice of either nation.

XXVII. That the merchants on both sides, their factors and servants, and also the masters and other seamen, as well going as returning by sea, and other waters, as also in the havens of either party, or going on shore, may carry and use, for the defence of themselves and goods, all sorts of weapons, as well offensive as defensive; but being come into their lodgings or inns, they shall there lay by and leave their arms, until they be going on board again.

XXVIII. That the men of war or convoys of either nation, meeting or overtaking at sea any merchants ship or ships belonging to the subjects or inhabitants of the other, holding the same course, or going the same way, shall be bound, as long as they keep one course together, to protect and defend them against all and every one who would set upon them.

XXIX. That if any ship or ships of the subjects or inhabitants of either nation, or of a neuter, be taken by a third party in the harbours of either, not being of the subjects or inhabitants of either nation, they in or out of whose haven or jurisdiction the said ships shall be taken, shall be bound to endeavour with the other party, that the said ship or ships be pursued, brought

back, and restored to the owners; but all this shall be done at the charges of the owners, or whom it concerns.

XXX. That searchers, and other like officers on both sides, shall regulate themselves according to the laws of either nation, and shall not impose or demand more than they are allowed by their commissions and instructions.

XXXI. That if any injury be done or practised by either nation, or the subjects or inhabitants of the same, against the subjects or inhabitants of the other, or against any of the articles of this present treaty, or against common right; yet nevertheless no letters of reprisal, marque, or countermarque, shall be granted by either side, till justice hath been first demanded according to the ordinary course of law; but in case justice be there denied or delayed, then that the said King of Great Britain, and the said States General, or commissioners of that nation whose subjects and inhabitants have suffered the wrong, shall publicly require justice from that other party, where (as abovesaid) it was denied or delayed, or from that power appointed to hear and decide such differences, that there may be a friendly composition, or due process of law. But if still there happen more delays, and neither justice be administered, nor satisfaction given within three months after such demand, that then letters of reprisal, marque, or countermarque, may be granted.

XXXII. It is also agreed, if at any time it happen (which God of his mercy forbid) that the differences now composed between his said Majesty and the said States General should fester, and break out again into open war, that then those ships, merchandize, or any kind of moveables of either party, which shall be found to be and remain in the ports, and under the command of the adverse party on either side, shall not for all that be confiscated, or made obnoxious to any inconvenience; but the space of six months shall entirely

tirely be allowed to the subjects and inhabitants of either party, that they may have leisure to transport from thence the forementioned things, and any thing else that is theirs, whither they shall think fit, without any kind of molestation.

XXXIII. That they who have obtained private commissions from either party, before they receive such commissions, shall give good and sufficient caution before the judge of the court where they receive such commissions, by responsible men, who have no part or share in such ships, that they shall do no damage or injury to the subjects or inhabitants of either side.

XXXIV. It is also agreed and concluded, that the subjects and inhabitants of either party shall always have free access to each other's sea-ports, there to remain, and from thence to depart with the same freedom; and not only with their merchant-ships and lading, but also with their men of war, whether they belong to the said King or States General, or unto such as have obtained private commissions, whether they arrive through violence of tempest, or other casualty of the seas, or to mend their ships, or to buy provision, so they exceed not the number of eight men of war, when they come there voluntarily, nor shall remain or abide longer in the havens or places adjacent, than they shall have a just cause, to repair their said ships, or to buy victuals or other necessaries: and if a greater number of men of war should upon occasion desire to come unto such ports, they shall in no case enter thereinto, until they have first obtained leave from those to whom the said havens do appertain, unless they be forced so to do by storm, or some force or necessity, whereby they may avoid the danger of the sea: in which case also they shall presently make known the cause of their coming unto the governor or chief magistrate of the place, and shall stay no longer than the said governor or chief magi-

trate shall permit them, and shall not do any acts of hostility or other prejudice in the aforesaid havens during their abode there.

XXXV. Furthermore it is agreed and concluded, that both parties shall truly and firmly observe and execute this present treaty, and all and every the matters contained therein, and effectually cause the same to be observed and performed by the subjects and inhabitants of either nation.

XXXVI. Also, for further caution and assurance that this treaty and confederacy shall be duly and *bonâ fide* observed on the part of the said States General of the United Provinces and their people, it is concluded and agreed, as also the said States General by these presents do agree, and firmly oblige and bind themselves, that all and every one whom they, or the States of the Provinces shall at any time choose, appoint, or make captain-general, governor, or chief president, or stad-holder, general of armies or military forces by land, or admiral or general of the fleets, ships, or forces at sea, shall be bound and obliged by oath to confirm this treaty, and all the articles thereof, and promise sacredly upon oath, that they shall, as far as it is possible, religiously observe and execute the same, and, as much as concerns them, cause the same to be observed and executed by others.

XXXVII. Under this present treaty of peace those shall be comprehended, who shall be named by either party with common consent before the exchange of ratifications, or within six months after. But in the mean time, as the covenanting parties do thankfully acknowledge the friendly offices, and unwearied endeavours, whereby the most Serene King of Sweden, interposing his mediation, hath, through the assistance of God, promoted and carried on this beneficial work of pacification unto the desired conclusion; so, to testify their like affection, it is decreed and covenanted by the common consent of all the parties, that his above-mentioned

mentioned Majesty of Sweden, with all his kingdoms, dominions, provinces, and rights, be included in this treaty, and comprehended in the present pacification, after the best and most effectual manner that may be.

XXXVIII. It is also covenanted, concluded, and agreed, that the present treaty, and all and every thing and things therein contained and concluded, shall be confirmed and ratified by the said King of Great Britain, and the said States General of the United Provinces, by letters patents on both sides, sealed with the great seal in due and authentic form, within four weeks next ensuing, or sooner, if it can be done; and that within the said time the ratifications on both sides shall be exchanged at Breda; and that presently after the delivery and exchange of the same, this treaty and alliance shall be published in such form and place as is usual.

Done at Breda, the 21 day of July, 1667.

*The separate Article.*

IF it happen that any tapestry, hangings, carpets, pictures, or household furniture of what kind soever, or precious stones, jewels, rich curiosities, or other moveable goods whatsoever, belonging to the King of Great Britain, either now are, or hereafter shall be found to be in the hands or power of the said States General, or of any of their subjects; the said States General do promise, that they will in no wise protect the possessors of any moveables appertaining unto the said King; which goods may be taken from them in such manner, that they, who shall make difficulty to restore them freely, may not be dealt withal by any means contrary to equity and justice. And the said States do promise to use their most effectual endeavours, that a plain and summary way of proceeding may be taken in this affair, without the ordinary form and method of process usually observed in courts; and that justice be administered, whereby his said



Majesty may be satisfied, as far as possibly may be, without the wrong of any one.

Also, that if any of those who are guilty of that horrible treason and parricide committed upon King Charles the First of most blessed memory, and lawfully attainted, condemned, or convicted of the same, either now are in the dominions of the said States General, or shall hereafter come thither; as soon as ever it shall be known or signified to the said States General, or any of their officers, they shall be apprehended, put into custody, and sent prisoners into England, or delivered into the hands of those whom the said King of Great Britain shall appoint to take charge of them, and bring them home.

Done at Breda the  $\frac{21}{7}$  day of July, 1667.

*His Majesty's Declaration concerning the Restoring of all Places, Forts, &c. which his Subjects shall have taken or recovered from the Dutch after the  $\frac{10}{5}$  day of May last past.*

CHARLES II. by the grace of God, King of Great-Britain, France, and Ireland, Defender of the Faith, &c. We do hereby make known and testify unto all and every person and persons whom it doth or may any way concern, that whereas in the treaty of peace concluded at Breda the  $\frac{21}{7}$  day of July, 1667, between us and the High and Mighty Lords States General of the United Netherlands, it is agreed in the third article, that each party is to hold and possess, for the time to come, with plenary right of sovereignty, propriety, and possession, all such lands, islands, cities, forts, places, and colonies, as during this war, or in any former times before this war, they have by force of arms, or any way whatsoever, gotten or detained from the other party, after the very same manner as they had seized and did possess them on the  $\frac{10}{5}$  day of May last past, not excepting any of the said places. And whereas furthermore, for the avoiding of all matter

ter of strife and contention, which useth sometimes to arise by reason of restitutions, it is also agreed in the sixth article, that if either party shall intercept and get from the other any lands, islands, cities, forts, colonies, and other places, after the said  $\frac{1}{4}^{\circ}$  day of May last past, all and every of the premisses (without any distinction of time and place) are forthwith to be restored in the very same condition wherein they shall be found to be at the time whensoever certain notice shall come to those places that the peace is renewed: We do hereby require and command all our governors, officers, commanders, and soldiers, both by sea and land, of what quality and condition soever they be, as well within Europe as without, that they do not only forbear and totally abstain from all hostility, according to the tenor of the foresaid treaty; but also, if at any time it shall happen or come to pass, that any lands, islands, cities, forts, colonies, and other places, wheresoever situated, shall be taken from the United Netherlanders, or recovered from them and brought under our power, after the expiration of the said  $\frac{1}{4}^{\circ}$  day of May, that they restore them all, without any delay or excuse, unto those persons who shall exhibit these letters patents, in such condition as they shall be found in at the time when the renewing of the peace shall be notified there, without any diminution, detraction, waste, or embezzlement whatsoever, upon pain of our highest displeasure. Given at Westminster the nine and twentieth day of July, old stile, and eighth day of August, new stile, in the year of our Lord 1667, and of our reign the nineteenth.

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[The following is printed from the copy published by authority in 1686.]

*Articles of Navigation and Commerce between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General*

*of the United Netherlands, concluded the 21 day  
of July, 1667.*

WHEREAS by those articles of peace, union, and alliance, which are this day concluded between his Majesty the King of Great Britain, and the States General of the United Provinces, it is specially and carefully provided, that all the dismal and calamitous effects of war may forthwith cease, and that the peace so much desired by all, may be restored in all kingdoms and dominions of both parties, and unto all their subjects and inhabitants: and the measure of time and affairs hath not permitted them to weigh in an equal balance, and thereby exactly to adjust all and every thing and things which were to be observed and considered about the foresaid articles, especially about those which belong to the rules of free navigation and trade; and that it may be feared, the inhabitants and subjects of both parties may fall back again into new quarrels and dissentions, and the differences now composed may bleed afresh, if they be not bound up by some certain laws about those things which concern navigation and the use of trade: therefore, by the mediation and endeavours of the Swedish ambassadors, the forementioned parties have further agreed unto these separate articles.

I. That all such proclamations and acts of state, which either party hath published, by reason of this war, to the prejudice of the other party, against the liberty of navigation and trade, be abrogated on both sides.

II. That for the elucidation of that act which the King of Great Britain caused to be published in the year 1660, for the encouragement of navigation in his own subjects, whereby strangers are prohibited to import any commodities into England, but such as are of their own growth or manufacture; it may be lawful for the States General, and their subjects, to carry also into England in their ships, all such commodities

modities as growing, being produced, or manufactured in Lower or Upper Germany, are not usually carried so frequently and commodiously unto sea-ports (thence to be transported to other countries) any other way but through the territories and dominions of the United Netherlands, either by land or by rivers.

III. Whereas the King of Great Britain hath heretofore pressed, that merchandize and commodities on both sides might be reduced to a certain and convenient rule; the States General also have always aimed at the same mark, that merchandize should be bounded and circumscribed within some certain laws of perpetual observation; and yet that business seems to require longer attention and labour, than that it can be speedily dispatched to the satisfaction of both parties; they are both content to remit the same unto a fitter occasion, that commissioners on both sides may meet together as soon as may be after this peace is concluded, who may resolve and agree about specifying and circumscribing the species of commodities, and the laws of navigation, and may set the same down in new and mutual covenants. Yet lest in the mean time the inhabitants and subjects of both parties should be in suspense and doubt, as not knowing what kinds of commodities it may be lawful or unlawful to carry or supply unto the enemy of either party, after the manner and form of warlike provisions or succours, or under the title or pretence of merchandize; it is likewise covenanted and agreed, that the treaty of navigation and commerce made between the Most Christian King and the said States General (beginning from the 26th unto the 42d article inclusively) in that manner and tenor wherein they follow here, inserted in the French language, may provisionally serve for a rule and law, and so make way for the perfecting of a larger and fuller treaty concerning maritime commerce between the above-mentioned parties.

The

The foresaid articles follow.

26. All the subjects and inhabitants of France may with all safety and freedom sail and traffic in all the kingdoms, countries, and estates which are or shall be in peace, amity, or neutrality with France, without being troubled or disquieted in that liberty by the ships, gallies, frigates, barques, or other vessels belonging to the States General, or any of their subjects, upon occasion and account of the hostilities which may hereafter happen between the said States General and the abovesaid kingdoms, countries, and estates, or any of them, which are or shall be in peace, amity, or neutrality with France.

27. This transportation and traffic shall extend to all sorts of merchandize, except those of contraband.

28. This term of contraband goods is understood to comprehend only all sorts of fire-arms and their appurtenances; as cannon, musquets, mortar-pieces, petards, bombs, granadoes, sauciffes, pitched hoops, carriages, rests, bandeliers, powder, match, salt-petre, bullets, pikes, swords, morions, head-pieces, cuirasses, halberts, javelins, horses, great saddles, holsters, belts, and other utensils of war.

29. In this quality of contraband goods these following shall not be comprehended; wheat, corn, and other grain, gums, oils, wines, salt, nor generally any thing that belongs to the nourishment and sustenance of life, but shall remain free as other merchandize and commodities not comprehended in the precedent article; and the transportation of them shall be permitted even unto places in enmity with the said States General, except such cities and places as are besieged, blocked up, or invested.

30. It hath been agreed, that the execution of what is abovesaid shall be performed in the manner following; that the ships and barques with the merchandize of his Majesty's subjects, being entered into any port of the said States General, and purposing to pass from thence unto the ports of the said enemies, shall be

be only obliged to shew unto the officers of the port of the said States out of which they would go, their passports, containing the specification of the lading of their ships, attested and marked with the ordinary seal and signing, acknowledged by the officers of the admiralty of those places from whence they first came, with the place whither they are bound, all in the usual and accustomed form: after which shewing of their passports in the form aforesaid, they may not be disquieted nor searched, detained nor retarded in their voyages, upon any pretence whatsoever.

31. The same course shall be used in regard of the French ships and barques which shall come into any roads of the countries under the obedience of the said States, not intending to enter into the ports, or being entered thereinto, not to unlade and break bulk; which ships may not be obliged to give account of their lading, but in case of suspicion that they carry unto the enemies of the said States any contraband goods, as was aforesaid.

32. And in case of such apparent suspicion, the said subjects of his Majesty shall be obliged to shew in the ports their passports in the form above specified.

33. But if they were come within the roads, or were met in the open sea by any of the said States ships, or private men of war their subjects; for avoiding of all disorder, the said ships of the United Provinces shall come no nearer unto the French barques than within cannon-shot, and may send their long-boat or shallop on board the French ships or barques, and cause only two or three men to go on board, unto whom the passports and certificates shall be shewn by the master or pilot of the French ship, in the manner above specified, according to the form of the said certificates which shall be inserted at the end of this treaty; by which passports and certificates proof may be made not only of the lading, but also of the place of the abode and residence as well of the master and pilot, as of the ship itself; to the end that by these

two ways it may be known whether they carry contraband goods; and that the quality as well of the said ship as of its master and pilot may sufficiently appear: unto which passports and certificates entire faith and credit ought to be given. And to the end that their validity may be the better known, and that they may not be in any wise falsified and counterfeit, certain marks and counterfigns of his Majesty and the said States General shall be given unto them.

34. And in case any merchandize and commodities of those kinds which are before declared to be contraband and forbidden, shall by the means aforesaid be found in the French vessels and barques bound for the ports of the said States enemies; they shall be unladen, and declared confiscate before the judges of the admiralty of the United Provinces, or other competent officers: but so, that the ship and barque, or other free and allowed goods, merchandize, and commodities found in the same ship, may not for that cause be in any manner seized or confiscate.

35. It was furthermore agreed and covenanted, that whatsoever shall be found laden by his Majesty's subjects upon a ship of the enemies of the said States, although the same were not contraband goods, shall yet be confiscate, with all that shall be found in the said ship, without exception or reservation; but on the other side also, all that shall be and shall be found in the ships belonging to the Most Christian King's subjects, shall be free and discharged, although the lading or part thereof belong to the said States enemies; except contraband goods, in regard whereof such rule shall be observed as hath been ordered in the precedent articles.

36. All the subjects and inhabitants of the said United Provinces shall reciprocally enjoy the same rights, liberties, and exemptions in their trade and commerce, within the ports, roads, seas, and estates of his said Majesty (as hath been newly said) which his said Majesty's subjects shall enjoy in those of the said States,

States, and in open sea; it being to be understood, that the equality shall be mutual every way on both sides: And even in case the said States should hereafter be in peace, amity, and neutrality with any Kings, Princes, and States, who should become enemies to his said Majesty, either of the parties are mutually to use the same conditions and restrictions expressed in the articles of this present treaty, which regard trade and commerce.

37. And the more to assure the subjects of the said States, that no violence shall be offered them by the said ships of war, all the captains of the King's ships, and others his Majesty's subjects, shall be charged and enjoined not to molest or endamage them in any thing whatsoever, upon pain of being punished and made answerable in their persons and goods for the damages and interests suffered, and to be suffered, until due restitution and reparation be made.

38. And for this cause the captains and capers shall from henceforth every one of them be obliged, before they go out, to give good and sufficient security before competent judges, in the sum of fifteen thousand livres tournois, to answer every one by himself for the miscarriages they may commit in their courses at sea, and for their captains and officers violations of this present treaty, and of the orders and proclamations of his Majesty, which shall be published by virtue and in conformity of the regulation therein made; upon pain of being cashiered, and forfeiting the said commissions and licences: which shall in like manner be practised by the subjects of the said States General.

39. If it should happen that any of the said French captains should make prize of a vessel laden with contraband goods, as hath been said, the said captains may not open nor break up the chests, mails, packs, bags, cask, and other boxes, or transport, sell, or exchange, and otherwise alienate them, until they have landed in the presence of the judges of the admiralty,



miralty, and after an inventory hath by them been made of the said goods found in the said vessels; unless the contraband goods making but a part of the lading, the master or pilot of the ship should be content to deliver the said contraband goods unto the said captain, and to pursue his voyage: in which case the said master or pilot shall by no means be hindered from continuing his course and the design of his voyage.

40. His Majesty being desirous that the subjects of the said States may be used in all countries under his obedience as favourably as his own subjects, will give all necessary orders, that judgments and decrees upon prizes which shall happen to be taken at sea, may be given with all justice and equity, by persons not suspected nor concerned in the matter under debate: and his Majesty will give precise and effectual orders, that all decrees, judgments, and orders of justice already given and to be given, may be readily and duly executed according to their forms.

41. And when the ambassadors of the said States General, or any other of their public ministers residing in his Majesty's court, shall make complaint of the judgments which shall be given, his Majesty will cause a review to be made of the said judgments in his council, to examine whether the order and precautions contained in the present treaty have been followed and observed, and to provide for the same according to reason; which shall be done within the space of three months at the farthest: nevertheless, neither before the first judgment, nor after it, during the time of the review, the goods and effects which are claimed, may not be sold or unladen, unless it be with consent of the parties interested, to avoid the spoiling of the said commodities, if they be perishable.

42. When process shall be moved in the first or second instance between those that have taken the prizes at sea, and the persons interested therein, and the said interested

interested persons shall come to obtain a favourable judgment or decree, the said judgment or decree shall have its execution upon security given, notwithstanding the appeal of him that took the prize; but the same shall not hold on the contrary. And that which is said in this present, and in the precedent articles, for the causing of good and speedy justice to be done unto the subjects of the United Provinces in the matter of prizes taken at sea by his Majesty's subjects, shall be understood and practised by the States General, in regard of prizes taken by their subjects from those of his Majesty.

IV. It is also covenanted, that these above-written separate articles, and all and every thing therein contained and concluded, shall be confirmed and ratified by the said King of Great Britain, and the said States General of the United Provinces, by letters patents of both parties, sealed with their great seal in due and authentic form, within four weeks next ensuing, or sooner, if it may be; and mutual instruments shall be exchanged at Breda within the foresaid time; and the same shall be published, after the delivery and exchange thereof, in the usual form and place.

Done at Breda the  $\frac{2}{7}$  day of July, 1667.

*A Form of the Passports and Certificates that ought to be given in the Admiralty of France, to the Ships and Barques that go out thence, according to the Article of the present Treaty.*

CÆSAR, Duke of Vendome, Peer and Great Master, Chief and Superintendant General of the navigation and commerce of France: To all who shall see these presents, greeting.

We do make known, that we have granted leave and permission to \_\_\_\_\_ master and conductor of a ship called \_\_\_\_\_ of the city of \_\_\_\_\_ of the burthen of \_\_\_\_\_ tons or thereabouts, being \_\_\_\_\_ at \_\_\_\_\_



*Another Form of the Certificates that ought to be given by the Cities and Sea Ports of the United Provinces, to the Ships and Barques that go from thence, according to the Article abovesaid.*

TO the most Serene, most Illustrious, Illustrious, most Mighty, most Noble, Honourable, and Prudent Lords, Emperors, Kings, Commonwealths, Princes, Dukes, Comties, Barons, Lords, Burgomasters, Sheriffs, Counsellors, Judges, Officers, Justices, and Regents of all good cities and places, as well ecclesiastical as secular, who shall see or read these presents. We burgomasters and governors of the city of  
do make known, that ship-master,  
appearing before us, hath declared by solemn oath,  
that the ship called containing about  
lasts, of which he is at present  
the master, belongeth to inhabitants of the United Provinces, So help him God: And, as we would willingly see the said ship-master assisted in his just affairs, we do request you all in general and particular, that where the abovesaid master shall arrive with his ship and goods, it may please them to receive him courteously, and use him in due manner, suffering him, upon the usual rights of tolls and other charges, in, through, and nigh your ports, rivers, and territories, permitting him to sail, pass, frequent, and trade there where he shall think fit. Which we shall willingly acknowledge. In witness whereof we have caused the seal of our city to be thereunto put.

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[The following is printed from the copy published by authority in 1686.]

*Articles touching Navigation and Commerce, between the most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General*

VOL. I. M neral

*neral of the United Netherlands; concluded at the Hague the 7<sup>th</sup> February, 1667.*

WHEREAS, by the blessing of Almighty God, for the mutual safety of the two parties, as well as the common good of Christendom, a perpetual defensive treaty was concluded, and signed on the 23d day of January last past, between the most Serene and most Potent Prince Charles the Second, and the High and Mighty Lords the States General of the United Netherlands, with stipulation of considerable succours, to be mutually given by the parties, as well by sea as land: And whereas the said King and States did on the same day, and by another instrument, readily enter into a solemn treaty and agreement, for composing the affairs of their neighbours, and restoring peace to Christendom; so as nothing seems now remaining that can at any time hereafter interrupt a friendship and alliance renewed with so equal desires, unless such controversies as may otherwise hereafter happen to arise about determining the different sorts and natures of merchandize, which being left dubious and uncertain, would give occasion to the further growth of such differences: And therefore, that it may appear with what sincerity and good faith the said King, and the said States, desire to preserve and entertain, not only for the present, but to all posterity, the amity they lately contracted between them, they have at last, for the taking away all grounds, not only of differences and misunderstandings, but even of questions and disputes; and so utterly to cut off the hope and expectation of those, whoever they are, that may think it their interest, by new controversies, to endeavour the disturbance or interruption of the said peace, mutually agreed on these following articles, which are to be on both sides, and for ever, observed as the measure and rule of such maritime affairs, and mutual settlement of trade, or at least so long, till, by the joint consent of both parties, commissioners be appointed, and do meet in order to the framing a more full and ample treaty concerning

cerning this matter, and the laws and rules of commerce and navigation; as by farther experience shall be found most advantageous to the common good of both parties.

I. All the subjects and inhabitants of Great Britain may, with all safety and freedom, sail and traffic in all the kingdoms, countries, and estates, which are or shall be in peace, amity, or neutrality with Great Britain, without being troubled or disquieted in that liberty by the ships of war, gallies, frigates, barques, or other vessels belonging to the States General, or any of their subjects, upon occasion and account of the hostilities which may hereafter happen between the said States General and the abovesaid kingdoms, countries, and estates, or any of them, which are or shall be in peace, amity, or neutrality with Great Britain.

II. This freedom of navigation and traffic shall extend to all sorts of merchandize, except those of contraband.

III. This term of Contraband goods is understood to comprehend only all sorts of fire-arms and their appurtenances; as cannon, musquets, mortar-pieces, petards, bombs, granadoes, fire-crancels, pitched hoops, carriages, refts, bandeliers, powder, match, salt-petre, bullets, pikes, fwords, morions, head-pieces, coats of mail, halberts, javelins, horses, great saddles, holsters, belts, and other utensils of war, called in French, *Affortifemens servans à l'usage de la guerre*.

IV. In this quality of contraband goods, these following shall not be comprehended; corn, wheat, or other grain, and pulse; oils, wines, salt, or generally any thing that belongs to the nourishment and sustentance of life, but shall remain free as other merchandize and commodities not comprehended in the precedent article; and the transportation of them shall be permitted even unto places in enmity with the said States General, except such cities and places as are besieged, blocked up, or invested.

V. It hath been agreed, for the due execution of what is abovesaid, that the ships and barques of the English, laden with merchandize, being entered into any port of the said States General, and purposing to pass from thence unto the ports of their enemies, shall be only obliged to shew unto the officers of the port of the said States, out of which they would go, their passports, containing the specification of the lading of their ships, attested and marked with the ordinary seal of the officers of the admiralty of those places from whence they first came, with the place whither they are bound, all in the usual and accustomed form: after which shewing of their passports in the form aforesaid, they may not be disquieted nor searched, detained nor retarded in their voyages, upon any pretence whatsoever.

VI. The same course shall be used in regard of the English ships and vessels which shall come into any roads of the countries under the obedience of the said States, not intending to enter into the ports, or being entered thereinto, not to unlade and break bulk; which ships may not be obliged to give account of their lading, but in case of suspicion that they carry unto the enemies of the said States any contraband goods, as was abovesaid.

VII. And in case of such apparent suspicion, the said subjects of his Majesty shall be obliged to shew in the ports their passports in the form above specified.

VIII. But if they were come within the roads, or were met in the open sea by any of the said States ships, or private men of war of their subjects; for avoiding of all disorder, the said ships of the United Provinces, or of their subjects, shall not come near within cannon-shot of the English, but shall send out their long-boat, and cause only two or three men to go on board the English ships or vessels, unto whom the passports and certificates of the propriety of the ships shall be shewn by the master or captain of the English ship,

ship, in the manner above specified, according to the form of the said certificates which shall be inserted at the end of this treaty; by which passports and certificates proof may be made not only of the lading, but also of the place of the abode and residence of the master or captain, and name of the ship itself; to the end that by these two ways it may be known whether they carry contraband goods, and that the quality as well of the said ship, as of its master or captain, may sufficiently appear: unto which passports and certificates entire faith and credit shall be given. And to the end that their validity may be the better known, and that they may not be in any wise falsified and counterfeit, certain marks and countersigns of his Majesty and the said States General shall be given unto them.

IX. And in case any merchandize and commodities of those kinds which are before declared to be contraband and forbidden, shall by the means aforesaid be found in the English ships and vessels, bound for the ports of the said States enemies, they shall be unladen, judicially proceeded against, and declared confiscate before the judges of the admiralty of the United Provinces, or other competent officers: but so that the ship and vessel, or other free and allowed goods, merchandize, and commodities found in the same ship, may not for that cause be in any manner seized or confiscate.

X. It is furthermore agreed and covenanted, that whatsoever shall be found laden by his Majesty's subjects upon a ship of the enemies of the said States, although the same were not contraband goods, shall yet be confiscate, with all that shall be found in the said ship, without exception or reservation: but on the other side also, all that shall be found in the ships belonging to the King of Great Britain's subjects, shall be free and discharged, although the lading or part thereof belong to the said States enemies; except con-



traband goods, in regard whereof such rule shall be observed as hath been ordered in the precedent articles.

XI. All the subjects and inhabitants of the said United Provinces shall reciprocally enjoy the same rights, liberties, and exemptions, in their trade and commerce upon the coasts, and in the ports, roads, seas, and estates of his said Majesty (as was now said) which his said Majesty's subjects shall enjoy in those of the said States, and in open sea; it being to be understood, that the equality shall be mutual every way on both sides, even in case the said States should hereafter be in peace, amity, and neutrality with any Kings, Princes, and States, who should become enemies to his said Majesty; so that either of the parties are mutually to use the same conditions and restrictions expressed in the articles of this present treaty, which regard trade and commerce.

XII. And the more to assure the subjects of the said States, that no violence shall be offered them by the ships of war belonging to his Majesty of Great Britain, or his subjects, all the captains of the King's ships, and all his Majesty's subjects that set out private men of war, shall be charged and enjoined not to molest or endamage them in any thing whatsoever, upon pain of being punished and made answerable in their persons and goods for all costs and damages, until due restitution and reparation be made.

XIII. And for this cause the captains and capers shall from henceforth every one of them be obliged, before they go out, to give good and sufficient security, before competent judges, in the sum of fifteen hundred pounds sterling, or fifteen thousand livres tournois, that they will give full satisfaction for any injuries or wrongs they may commit in their courses at sea, and for their captains and officers that shall violate this present treaty, and the orders and proclamations of his Majesty, which shall be published by virtue

ture and in conformity to the regulation therein made; upon pain of forfeiting their said commissions and licences: which shall in like manner be practised by the subjects of the said States General.

XIV. If it should happen that any of the said French captains should make prize of a vessel laden with contraband goods, as hath been said, the said captains may not open nor break up the chests, mails, packs, bags, cask, or fell, or exchange, or otherwise alienate them, until they have landed them in the presence of the judges or officers of the admiralty, and after an inventory by them made of the said goods found in the said vessels; unless the contraband goods making but a part of the lading, the master of the ship should be content to deliver the said contraband goods unto the said captain, and to pursue his voyage: in which case the said master shall by no means be hindered from continuing his course and the design of his voyage.

XV. His Majesty being desirous that the subjects of the said States may be used, in all countries under his obedience, as favourably as his own subjects, will give all necessary orders, that judgments and decrees upon prizes which shall happen to be taken at sea, may be given with all justice and equity, by judges not suspected nor concerned in the matter under debate: and his Majesty will give precise and effectual orders, that all decrees, judgments, and orders of justice, already given and to be given, may be readily and duly executed according to the tenor of them.

XVI. And when the ambassadors of the said States General, or any other of their public ministers residing in his Majesty's court, shall make complaint of the judgments which shall be given, his Majesty will cause a review to be made of the said judgments in his council, to examine whether the order and precautions contained in the present treaty have been followed and observed, and to provide for the same ac-

ording to right and equity; which shall be done within the space of three months at the farthest: nevertheless, neither before the first judgment, nor after it, during the time of the review, the goods and effects which are reclaimed may not be sold or unladen, unless it be with the consent of the parties interested, to avoid the spoiling of the said commodities, if they be perishable.

XVII. When process shall be moved in the first or second instance between those that have taken the prizes at sea, and the persons interested therein, and the said interested persons shall come to obtain a favourable judgment or decree, the said judgment or decree shall have its execution upon security given, notwithstanding the appeal of him that took the prize; but the same shall not hold on the contrary, where the sentence goes against the claimers. And that which is said in this present and in the precedent articles, for the causing of good and speedy justice to be done unto the subjects of the United Provinces in the matter of prizes taken at sea by his Majesty's subjects, shall be understood and practised by the States General, in regard of prizes taken by their subjects from those of his Majesty.

XVIII. But since the conveniences and inconveniences of things and agreements cannot be discovered but in procedure of time, and by observations drawn from mutual experience, it is therefore agreed between the said King of Great Britain and the said Lords the States of the United Netherlands, that at any time hereafter, when both parties shall so think it fitting, certain commissioners by each party respectively chosen, shall meet by the common consent of both; who shall make it their care and business to supply whatever shall be found wanting in the aforementioned articles, to change or limit whatever shall not be convenient and commodious for both, and fully compleat a further treaty, both concerning these things and all other the laws of navigation.

XIX. All

XIX. All these agreements, and all and every thing therein contained, shall be confirmed and ratified by the said King of Great Britain and the States General of the United Provinces, by letters patents of both parties, sealed with their great seal in due and authentic form, within four weeks next ensuing, or sooner if it may be, and mutual instruments shall be exchanged by each party within the time aforesaid.

Here follow certain forms, whereof mention is made in the eighth article.

*A Form of the Certificates that ought to be given by those that have the ordinary Power of the Admiralty of England, to the Ships and Vessels that go out thence, according to the Eighth Article of the present Treaty.*

high admiral of England,  
to all who shall see these presents, greeting.

These are to certify, that we have granted leave and permission to \_\_\_\_\_ master and captain  
of the ship called \_\_\_\_\_ of the city of \_\_\_\_\_

\_\_\_\_\_ of the burthen of \_\_\_\_\_  
tons, or thereabouts, being at present in the port and haven of \_\_\_\_\_ to go to \_\_\_\_\_ laden with \_\_\_\_\_ after search shall have been made of his ship, and he before his departure shall have made oath before the officers that exercise the jurisdiction of maritime causes, that the said vessel doth belong to one or more of his Majesty's subjects, an act whereof shall be put at the bottom of these presents, as also to keep and cause to be kept by those aboard him, the orders and rules of the marine, and shall put into the registry a list signed and certified, containing the names and surnames, the nativity and habitation of the men that are aboard him, and of all that shall embark themselves, whom he may not take on board without the knowledge and permission of the marine officers; and in every port or haven where he shall

shall enter with his ship, shall shew the officers and marine judges this his present licence, and, having finished his voyage, shall make faithful relation of what hath been done and hath passed during all the time of his said voyage, and shall carry the flags, arms, and colours of his Majesty throughout his whole voyage. In witness whereof, we have signed these presents, and caused the seal of our arms to be put thereunto, and the same to be countersigned by our secretary of the marine, the \_\_\_\_\_ day of \_\_\_\_\_ one thousand six hundred \_\_\_\_\_

Signed

And underneath,

By \_\_\_\_\_ and sealed with the seal of the arms of the said high admiral.

*A Form of the Act containing the Oath to be taken by the Master or Captain of the Ship.*

WE \_\_\_\_\_ of the admiralty of \_\_\_\_\_ do certify, that \_\_\_\_\_ master of the ship named in the passport above, hath taken the oath therein mentioned. Given at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ one thousand six hundred, &c.

In testimony whereof we have hereunto set our hands,

*The Form of the Certificates that ought to be given by the Burgomasters of the Cities and Sea-ports of the United Provinces, to the Ships and Vessels that go from thence, according to the Eighth Article above-said.*

TO the most Serene, most Illustrious, most Mighty, most Noble, Honourable, and Prudent Lords, Emperors, Kings, Commonwealths, Princes, Dukes, Comtes, Barons, Lords, Burgomasters, Sheriffs, Counsellors, Judges, Officers, Justices, and Regents of all cities and \_\_\_\_\_ places,

places, as well ecclesiastical as secular, who shall see or read these presents. We burgomasters and governors of the city of                    do certify, that ship-master, appearing before us, hath declared by solemn oath, that the ship called                    containing about                    lasts, of which he is at present the master, belongeth to inhabitants of the United Provinces. So help him God: and, as we would willingly see the said ship-master assisted in his just affairs, we do request you, and every of you, where the abovesaid master shall arrive with his ship and goods, that you will please to receive him courteously, and use him kindly, admitting him, upon paying the usual dues, tolls, and other customs, to enter into, remain in, and pass from your ports, rivers, and territories, and there to trade, deal, and negotiate in any part or place, in such sort and manner as he shall desire. Which we shall most readily acknowledge in the like occasion. In witness whereof we have caused the seal of our city to be thereunto put.

In witness and confirmation of all and every part whereof, we the commissioners of his said Majesty the King of Great Britain, and of the said Lords the States General, having sufficient power given us thereunto, have signed these tables, and sealed them with our seals. At the Hague in Holland, the 17th of February in the year one thousand six hundred sixty-eight.

<i>De Gellicum,</i>	<i>G. Hoolck,</i>
<i>B. d' Asperen,</i>	<i>V. Unckell,</i>
<i>John de Witt,</i>	<i>Jan. Van Isselmuden,</i>
<i>Van Crammon,</i>	<i>L. T. Van Starckenborck.</i>

[The following is printed from the copy published by authority in 1686.]

*Articles of Peace between the most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General of the United Netherlands; concluded at Westminster the 1<sup>o</sup> Day of February, 1674.*

I. IT is concluded and agreed, that from this day there shall be a firm and inviolable peace, union, and friendship betwixt his Majesty the King of Great Britain, and the High and Mighty Lords, the States General of the United Provinces, and betwixt all their subjects, whether within Europe or without, in all regions and places whatsoever.

II. That this good union betwixt the abovesaid King and the said States General may the sooner take its effect, it is by them agreed and concluded, that immediately upon the publication of this treaty of peace, all actions of hostility shall on both sides be immediately forbid, and no commission, instruction, or order, privately or publicly, directly or indirectly, be on either side given or countenanced, for the infesting, attacking, fighting, or spoiling of each other, their dominions or subjects; but, on the contrary, all peaceable and amicable comportments enjoined to the subjects of both nations.

III. But in respect the distances of places are so different, that the orders and commands of the respective sovereigns cannot at the same time reach all their subjects, it hath been thought fit to appoint these following limits for the committing any acts of hostility or force upon each other; *viz.* that after the expiration of twelve days next following the publication of this treaty, no hostility shall be acted from the Soundings to the Naz in Norway; nor after the term of six weeks,

weeks, betwixt the Soundings and Tangier; nor after the term of ten weeks, betwixt the said Tangier and the Equator, neither in the Ocean, Mediterranean, or elsewhere; nor after the term of eight months, in any part of the world: and whatsoever actions of hostility and force shall be committed after the expiration of the aforesaid terms, upon colour of whatsoever former commission, letters of mart, or the like, shall be deemed as illegal, and the actors obliged to make reparation and satisfaction, and punished as violators of the public peace.

IV. That the aforesaid States General of the United Provinces, in due acknowledgment on their part of the King of Great Britain's right to have his flag respected in the seas hereafter mentioned, shall and do declare and agree, that whatever ships or vessels belonging to the said United Provinces, whether vessels of war or others, or whether single or in fleets, shall meet in any of the seas from Cape Finisterre to the middle point of the land Van Staten in Norway, with any ships or vessels belonging to his Majesty of Great Britain, whether those ships be single or in greater number, if they carry his Majesty of Great Britain's flag or jack, the aforesaid Dutch vessels or ships shall strike their flag and lower their top-sail, in the same manner and with as much respect as hath at any time, or in any place, been formerly practised towards any ships of his Majesty of Great Britain or his predecessors, by any ships of the States General or their predecessors.

V. Whereas the colony of Surinam, and the articles made upon the surrender thereof 1667, betwixt William Biam, then governor thereof for his Majesty of Great Britain, and Abraham Quirini, commander for the States General, have in the execution of them administered much occasion of dispute, and contributed much to the late misunderstanding betwixt his Majesty and the said States General; to remove all grounds of future mistakes, the said States General do by these presents



sents agree and covenant with the said King of Great Britain, that not only the fore-named articles shall be executed without any manner of tergiversation or equivocation; but that likewise it shall be free for his Majesty to depute one or more persons thither, to see the condition of his subjects there, and to adjust with them a time for their departure; and that it shall be lawful for his Majesty to send one, two, or three ships at one time, and thereon to embark and carry away the said subjects, their goods, and slaves; and that the then governor there for the States General shall not make or execute any law, whereby the buying or selling of land, paying of debts, or commutation of goods, shall be otherwise qualified to the English, than it hath or shall be to all other inhabitants of the colony; but that during their stay they shall enjoy the same laws and privileges of suing for debts, and paying their debts, making bargains and contracts, as hath been usually practised amongst the other inhabitants; and that whensoever his Majesty of Great Britain shall desire of the States General sufficient and authentic letters to the governor of the said colony, to suffer the said English to depart, and permit the coming of the said ships, the said States General shall, within the space of fifteen days after such demand, deliver unto whomsoever deputed by his Majesty of Great Britain for that purpose, full and sufficient letters and instructions to their governor there, for permitting the arrival of the ships, as well as the embarking of such of his Majesty's subjects as shall declare themselves willing to go away, with their goods and slaves, to be transported where his Majesty shall direct.

VI. It is agreed and concluded, that whatever country, island, town, haven, castle, or fortress, hath been or shall be taken by either party from the other, since the beginning of the late unhappy war, whether in Europe or elsewhere, and before the expiration of the times above limited for hostility, shall be restored to the former owner in the same condition it shall be  
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in at the time of the publishing this peace; after which time there shall be no plundering of the inhabitants, or demolishing of the fortifications, or carrying away the artillery and ammunition belonging to any fort or castle at the time of its having been taken.

VII. That the treaty of Breda, made in the year 1667, as all other former treaties confirmed by the said treaty, be renewed, and remain in their full force and vigour, so far forth as they contradict nothing in this present treaty.

VIII. That the marine treaty made at the Hague between the two parties in the year 1668, be continued for nine months after the publication of this present treaty, unless it shall be otherwise agreed on by a subsequent treaty; and that in the mean time the consideration of a new one be referred to the same commissioners to whom the trade in the East Indies is referred in the subsequent article.

But if such commissioners, within three months after their first meeting, shall not agree upon a new marine treaty, then that matter shall also be referred to the arbitration of the most Serene Queen Regent of Spain, in the same manner as the regulation of the East India trade is referred to her Majesty in the said article next following.

IX. In respect that upon the mutual, free, and undisturbed enjoyment of trade and navigation, not only the wealth, but the peace likewise of both nations is most highly concerned; there ought nothing to be so much the care of both parties as a just regulation of trade, and particularly in the East Indies; and yet, in respect that the weightiness of the matter requireth much time to make firm and durable articles to the content and security of the subject on both sides, and on the other side, the bleeding condition of most part of Europe, as well as of the two parties concerned, earnestly demand a speedy conclusion of this treaty, the King of Great Britain is pleased to condescend to the  
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desires

desires of the States General, to have the consideration of the same referred to an equal number of commissioners to be nominated by each party, the said States General engaging themselves to send those of their nomination to treat at London with those to be nominated by his Majesty; and this within the space of three months after the publication of this treaty; the number to be nominated by each to consist of six persons: and in case that after three months from the time of their first assembling, they shall not have the good success to conclude a treaty, the points in difference betwixt them shall be referred to the arbitrement of the most Serene Queen Regent of Spain, who shall nominate eleven commissioners; and whatsoever the major part of them shall determine, as to the remaining differences, shall oblige both parties; provided still, that they deliver their judgment within the space of six months from the day of their assembling; which shall likewise be within the space of three months after the said most Serene Queen Regent of Spain hath accepted of the being umpire.

X. That whereas the most Serene Queen Regent of Spain hath given assurance to his Majesty of Great Britain, that the said States General should, upon the making of the peace, pay unto his said Majesty the King of Great Britain, the sum of 800,000 patacoons, the said States General do promise and covenant to pay the said 800,000 patacoons in this following manner, *viz.* a fourth part as soon as the ratification of this treaty shall be mutually exhibited, and the rest the three ensuing years, by equal portions.

XI. The aforefaid most Serene King of Great Britain, and the said High and Mighty States General of the United Provinces, shall observe sincerely, and *bonâ fide*, all and singular the matters agreed and concluded in this present treaty, and cause the same to be observed by their subjects and inhabitants; nor shall they directly or indirectly violate any of them, or suffer them

them to be violated by their subjects or inhabitants: and they shall ratify and confirm all and every thing as before agreed, by letters patent subscribed with their hands, and sealed with their great seals, conceived and written in sufficient, valid, and effectual form; and shall deliver, or cause the same to be delivered reciprocally, within four weeks after the date of these presents (or sooner if it may be) *bonâ fide*, really, and with effect.

XII. Lastly, as soon as the said ratifications shall have been duly and mutually exhibited and exchanged, the peace shall be proclaimed at the Hague within four and twenty hours after the delivery and exchange there made of the said ratifications.

Done at Westminster the  $\frac{9}{19}$  day of February, 167 $\frac{1}{2}$ .

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[The following is printed from the copy published by authority in 1686.]

*A Treaty Marine, between the most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the High and Mighty Lords, the States General of the United Netherlands, to be observed throughout all and every the Countries and Parts of the World, by Sea and Land. Concluded at London the First Day of December, 1674, S. V.*

I. THAT it shall and may be lawful for all and every the subjects of the most Serene and Mighty Prince, the King of Great Britain aforesaid, with all freedom and safety to sail, trade, and exercise any manner of traffic in all those kingdoms, countries, and estates, which are, or at any time hereafter shall be in peace, amity, or neutrality with his said Majesty;

fo that they shall not be any ways hindered or molested in their navigation or trade, by the military forces, nor by the ships of war, or any other kind of vessels whatsoever, belonging either to the High and Mighty States General of the United Netherlands, or to their subjects, upon occasion or pretence of any hostility or difference which now is, or shall hereafter happen between the said Lords the States General, and any princes or people whatsoever in peace, amity, or neutrality with his said Majesty: and likewise, that it shall and may be lawful for all and every the subjects of the said High and Mighty Lords the States General of the United Netherlands, with all freedom and safety to sail, trade, and exercise any manner of traffic in all those kingdoms, countries, and estates, which are, or at any time hereafter shall be in peace, amity, or neutrality with the aforesaid Lords the States; so that they shall not be any ways hindered or molested in their navigation or trade, by the military forces, nor by the ships of war, or any other kind of vessels whatsoever, belonging either to the most Serene and Mighty King above mentioned, or to his subjects, upon occasion or pretence of any hostility or difference, which now is, or shall hereafter happen between his said Majesty and any princes or people whatsoever, in peace, amity, or neutrality with the said Lords the States.

II. Nor shall this freedom of navigation and commerce be infringed by occasion or cause of any war, in any kind of merchandizes, but shall extend to all commodities which shall be carried in time of peace; those only excepted which follow in the next article, and are comprehended under the name of Contraband.

III. Under this name of Contraband or prohibited merchandizes shall be comprehended only arms, pieces of ordnance, with all implements belonging to them, fire-balls, powder, match, bullets, pikes, swords, lances, spears, halberds, guns, mortar-pieces, petards, grana-  
does,

does, musquet-rests, bandeliers, salt-petre, musquets, musquet-shot, helmets, corslets, breast-plates, coats of mail, and the like kind of armature, foldiers, horses, and all things necessary for the furniture of horses, holsters, belts, and all other warlike instruments whatsoever.

IV. These merchandizes following shall not be reckoned among prohibited goods, *viz.* all kind of cloth; and all other manufactures woven of any kind of wool, flax, silk, cotton, or any other material; all sorts of clothing and vestments, together with the materials whereof they use to be made; gold and silver, as well coined as not coined; tin, iron, lead, copper, and coals; as also wheat, barley, and all other kind of corn or pulse; tobacco, and all kind of spices, salted and smoked flesh, salted and dried fish, butter and cheese, beer, oils, wines, sugars, and all sort of salt; and in general, all provision which serves for the nourishment and sustenance of life; likewise all kind of cotton, hemp, flax, and pitch; and ropes, sails, and anchors; also masts and planks, boards and beams of what sort of wood soever, and all other materials requisite for the building or repairing ships, but they shall be wholly reputed amongst free goods, even as all other wares and commodities which are not comprehended in the next precedent article; so that the same may be freely transported and carried by the subjects of his said Majesty, even unto places in enmity with the said States, as also on the other side, by the subjects of the said States, to places under the obedience of the enemies of his said Majesty; except only towns or places besieged, environed, or invested, in French, Blocquees ou investies.

V. And that all manner of differences and contentions on both sides, by sea and land, may from henceforth cease and be utterly extinguished, it is agreed, that all kind of ships and vessels whatsoever, belonging to the subjects of his said Majesty, entering or  
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being entered into any road or port under the obedience of the Lords the States, and purposing to pass from thence, shall be only obliged to shew unto the officers acting in the ports of the said States, or to the captains of the States ships, or of private men of war (if any happen there to be) their passport, commonly called a sea-brief (the form whereof is added at the end of these articles) nor shall any money, or any thing else be exacted from them under that pretence; but if any ship belonging to the subjects of his Majesty of Great Britain shall, in the open sea, or elsewhere, out of the dominions of the said States, meet the ships of war of the said Lords the States, or private men of war of their subjects, the said ships of the Lords the States, or of their subjects, shall keep at a convenient distance, and only send out their boat, and it shall be lawful for them only with two or three men, to go on board the ships and vessels of the subjects of his Majesty, that the passport (or sea-brief) of the propriety thereof, according to the form hereafter specified, may be shewn to them by the captain or master of such ship or vessel belonging to the subjects of his Majesty; and the ship which shall shew the same shall freely pass, and it shall not be lawful to molest, search, detain, or divert the same from her intended voyage: and all the subjects of the Lords the States shall enjoy in all things the same liberty and immunity, they in like manner shewing their passport (or sea-brief) made according to the form prescribed at the latter end of this treaty.

VI. But if any ship or vessel belonging to the English, or other subjects of his Majesty, shall be met making into any port in enmity with the Lords the States; or on the other side, if any ship belonging to the United Provinces of the Netherlands, or other subjects of the Lords the States, shall be met in her way making into any port under the obedience of the enemies of his said Majesty, such ship shall shew, not only a passport (or sea-brief) according to the form

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hereunder prescribed, wherewith she is to be furnished, but also her cocquets, expressing the contents of the goods on board, given in the usual form, by the officers of the customs in the port from whence she came, whereby it may be known whether she is laden with any merchandizes prohibited by the third article of this treaty.

VII. But if by the shewing the abovefaid cocquets expressing the contents of the goods on board, given in the usual form by the officers of the customs in the port from whence she came (concerning the shewing whereof it is above agreed) either party shall discover any kind of merchandizes which in the third article of this treaty are declared to be contraband or prohibited, consigned to any port under the obedience of their enemies, it shall not be lawful to open the hatches of such ship in which the same shall happen to be found; whether she belongs to the subjects of his Majesty, or of the Lords the States, nor to unlock or break open the chests, mails, packs, or casks in the same, nor to convey away any the least part of the merchandizes, before the whole be first landed in the presence of the officers of the admiralty, and inventoried; neither shall it be any ways lawful to sell, exchange, or otherwise to alienate the same, until such prohibited goods are rightly and lawfully proceeded against, and that the judges of the admiralty have by their respective sentences confiscated the same: provided always, that as well the ship itself, as the rest of the commodities found in the same, which by this treaty are to be reputed free, shall not, upon pretence of their being infected by such prohibited goods, be detained, much less confiscated for lawful prize; but if not the whole, but a part only of the lading consists of contraband or prohibited commodities, and that the master of the ship shall be willing and ready to deliver them to the captor who seized the same, in that case the captor shall not compel the ship to go out of her course, to any port he thinks fit, but shall forthwith dismiss her, and upon



no account hinder her from freely prosecuting her designed voyage.

VIII. It is further agreed, that whatsoever shall be found laden by his Majesty's subjects, upon any ship whatsoever belonging to the enemies of the Lords the States, although the same be not of the quality of contraband goods, may be confiscated; but on the contrary, all that which shall be found in the ships belonging to the subjects of his Majesty shall be accounted clear and free, although the whole lading, or any part thereof, by just title of propriety, shall belong to the enemies of the Lords the States; except always contraband goods, which being intercepted, all things shall be done according to the meaning and direction of the precedent articles; and by the same reason, whatsoever shall be laden by the subjects of the Lords the States, in any ship whatsoever belonging to the enemies of his Majesty, although the same be not of the quality of contraband goods, may be confiscated; but on the other side, all that which shall be found in the ships belonging to the subjects of the Lords the States, shall be accounted clear and free, although the whole lading, or any part thereof, by just title of propriety, shall belong to the enemies of his Majesty; except always contraband goods, which being intercepted, all things shall be done according to the meaning and direction of the precedent articles. And lest any damage should by surprize be done to the one party who is in peace, when the other party shall happen to be engaged in war, it is provided and agreed, that a ship belonging to the enemies of the one party, and laden with goods of the subjects of the other party, shall not infect or render the said goods liable to confiscation, in case they were laden before the expiration of the terms and times hereafter mentioned, after the declaration or publication of any such war; viz. if the goods were laden in any port or place between the places or limits called the Soundings, and the Naz in Norway, within the space of six weeks after such declaration;

elation; of two months, between the said place the Soundings, and the city of Tangier; and of ten weeks, in the Mediterranean Sea; or within the space of eight months in any other country or place of the world; so that it shall not be lawful to confiscate the goods of the subjects of his Majesty, taken or seized in any ship or vessel whatsoever of any enemy of the Lords the States, upon that pretence, but the same shall be without delay restored to the proprietors, unless they were laden after the expiration of the said terms of time respectively; but so that it may not be lawful for them afterwards to carry to enemies ports the said merchandizes which are called contraband, and for the reason aforesaid shall not be liable to confiscation; neither, on the other side, shall it be lawful to confiscate the goods of the subjects of the Lords the States, taken or seized in any ship or vessel whatsoever of an enemy of his Majesty, upon that pretence; but the same shall be forthwith restored to the proprietors thereof, unless they were laden after the expiration of the said terms of time respectively; but so, that it may not be lawful for them afterwards to carry to enemies ports the said merchandizes which are called contraband, and for the reason aforesaid shall not be liable to confiscation.

IX. And the more to assure the subjects of his Majesty and of the said States, that no injury shall be offered to them by the ships of war or private men of war of either side, all the captains of the ships, as well of his Majesty as of the said States, and all their subjects who shall set out private men of war, and likewise their privileged companies, shall be enjoined not to do any injury or damage whatsoever to the other; which if they do, they shall be punished, and moreover be liable to satisfy all costs and damages, by restitution and reparation, upon pain and obligation of person and goods.

X. For this cause, all the commanders of private men of war shall from henceforth be obliged, before they receive their commissions, to enter, before a competent judge, good and sufficient security, by able and responsible men, who have no part or interest in such ship, in the sum of fifteen hundred pounds sterling, or sixteen thousand five hundred guilders; and when they have above one hundred and fifty men, then in the sum of three thousand pounds sterling, or three and thirty thousand guilders, that they will give full satisfaction for any damages or injuries whatsoever, which they or their officers, or others in their service, shall commit in their courses at sea, contrary to this present treaty, or any other whatsoever, between his Majesty and the said States; and upon pain of revocation and annulling their said commissions, in which it shall be always inserted, that they have given such security as abovesaid; and likewise it is agreed, that the ship itself shall be also liable to make satisfaction for injuries and damages done by her.

XI. His Majesty and the said States, being desirous that the subjects of each other may be mutually treated, in all countries under their obedience respectively, with the like kindness as their own subjects, will give all necessary and effectual orders, the judgments upon prizes taken be given according to the rule of justice and equity, by judges beyond all suspicion, and not any way concerned in the cause under debate; and his Majesty and the said States will likewise give strict orders that all sentences already given, and which shall be hereafter given, be (according to the tenor thereof) duly put in execution, and obtain their effect.

XII. And whensoever the ambassadors of the said Lords the States, or any other their public ministers resident at the court of his most Serene Majesty of Great Britain, shall complain of the unjustness of sentences which have been given, his Majesty will cause the same to be reviewed and examined in his council,  
that

that it may appear whether the orders and precautions prescribed in this treaty have been observed, and have had their due effect, and will also take care that the same be fully provided for, and that right be done to the party complaining, within the space of three months; and likewise, when the ambassadors or other public ministers of his Majesty, resident with the States General, shall complain of the unjustness of sentences, the said States will cause a review and examination thereof to be made in the assembly of the States General, that it may appear whether the orders and precautions prescribed in this treaty have been observed, and have had their due effect, and they will likewise take care that the same be fully provided for, and that right be done to the party complaining within the space of three months: nevertheless, it shall not any ways be lawful to sell or unlade the goods in controversy, either before the sentence given, or after it, during the review thereof, on either side, unless it be with the consent of the parties interested.

XIII. A suit being commenced between the takers of prizes on the one part, and the claimers thereof on the other, and a sentence or decree being given for the party reclaiming, the said sentence or decree (upon security given) shall be put in execution, notwithstanding the appeal made by him that took the prize, which shall not be observed, in case the sentence shall be given against the claimers.

XIV. And whereas the masters of merchants ships, and likewise the mariners and passengers, do sometime suffer many cruelties and barbarous usages, when they are brought under the power of ships which take prizes in time of war, the takers in an inhuman manner tormenting them, thereby to extort from them such confessions as they would have to be made; it is agreed, that both his Majesty, and the Lords the States General, shall, by the severest proclamations or placarts, forbid all such heinous and inhuman offences, and as many as they

they shall by lawful proofs find guilty of such acts, they shall take care that they be punished with due and just punishments, and which may be a terror to others; and shall command that all the captains and officers of ships, who shall be proved to have committed such heinous practices, either themselves, or by instigating others to act the same, or by conniving while they were done, shall (besides other punishments to be inflicted proportionably to their offences) be forthwith deprived of their offices respectively; and every ship brought up as prize, whose mariners or passengers shall have suffered any torture, shall forthwith be dismissed and freed, with all her lading, from all further examination and proceedings against her, as well judicial as otherwise.

XV. It is also agreed, that the like severity of punishments shall be inflicted upon those who, contrary to the meaning of the one and twentieth article of the treaty of peace concluded at Breda, shall take commissions from enemies, to seize the ships of either ally (or party) contrary to what is provided in the said article.

XVI. Lastly, it is agreed and concluded, that this present treaty, and all and singular the things therein contained, shall be with all convenient speed on both sides ratified and confirmed, and that the ratifications thereof shall be, within two months from the date hereof, rightly and reciprocally exchanged between both parties; and also that the said treaty shall, within one month after such exchanging of the ratifications, be delivered in due and authentic form to the governors of the English East India and Africa companies, and to the directors of the Dutch East and West India companies, and shall with the first conveniency be also sent by his said Majesty, and by the said Lords the States, to their respective governors and commanders in chief of their colonies and plantations in every part of the world out of Europe, to the end that it may  
be

be by them, and all others within their dominions and under their power, punctually observed and fulfilled.

*The Form of the Passport (or Sea-brief) to be asked of, and given by the Lord High Admiral, or by those to whom the Exercise of Admiralty Jurisdiction is ordinarily committed, or by the Mayor or other chief Magistrate, or by the Commissioners or other principal Officers of the Customs in their respective Ports and Places within his Majesty's Dominions, to the Ships and Vessels sailing out thence, according to the Purport of the Fifth Article.*

TO all unto whom these presents shall come, greeting. We Lord High Admiral  
of We Lords Commif-  
sioners executing the office of the Lord High Admiral of Judge of  
the High Court of the Admiralty of the Mayor, or other Ma-  
or We or We Com-  
missioners, or principal Officers of the Customs in the do testify and make  
city or port of master or commander of  
known, that the ship called the hath appeared be-  
the ship called the fore us, and hath declared by solemn oath, that the  
said ship or vessel, containing about tons, of which he is at present master or commander,  
tons, of which he is at present master or commander, doth belong to the inhabitants of  
doth belong to the inhabitants of within the dominions of the most Serene and Mighty  
within the dominions of the most Serene and Mighty Prince, the King of England, Scotland, France, and  
Prince, the King of England, Scotland, France, and Ireland, Defender of the Faith, &c. So help him  
Ireland, Defender of the Faith, &c. So help him God. And in regard it would be most acceptable to  
God. And in regard it would be most acceptable to us, that the said master or commander be assisted in  
us, that the said master or commander be assisted in his just and lawful affairs, we do request you, and  
his just and lawful affairs, we do request you, and every of you, wheresoever the said master or com-  
every of you, wheresoever the said master or com- mander shall arrive with his ship, and the goods laden  
mander shall arrive with his ship, and the goods laden on board and carried in her, that you would please to  
on board and carried in her, that you would please to receive him courteously, and use him kindly, and ad-  
receive him courteously, and use him kindly, and ad- mit him, upon paying the lawful and usual customs  
mit him, upon paying the lawful and usual customs and

and other duties, to enter into, remain in, and pass from your ports, rivers, and dominions, and there to enjoy all kind of right of navigation, traffic, and commerce, in all places where he shall think fit; which we shall most willingly and readily acknowledge upon all occasions. In testimony and confirmation whereof, we have with our hand signed these presents, and caused them to be sealed with our seal. Dated at  
in the day of  
in the year of our Lord

*The Form of the Passport (or Sea-brief) to be asked of, and given by the Burgermasters of the Cities and Ports of the United Netherlands, to the Ships or Vessels sailing from thence, according to the Purport of the Fifth Article.*

TO the most Serene, most Illustrious, most Mighty, most Noble, most Honourable, and most Prudent Emperors, Kings, Governors of Commonwealths, Princes, Dukes, Earls, Barons, Lords, Burgermasters, Schepens, Counsellors, Judges, Officers, Justices, and Rulers of all cities and places, as well ecclesiastical as secular, to whom these presents shall be shewn; We the burgermasters and rulers of the city of  
do certify, that master or skipper of the  
ship appeared before us, and declared by  
solemn oath, that the said ship, called the  
containing about lafts, of which he is at  
present master or skipper, belongeth to the inhabitants  
of the United Netherlands. So help him God. And  
in regard it would be most acceptable to us, that the  
said master or skipper be assisted in his just and law-  
ful affairs, we do request you and every of you, where-  
soever the said master or skipper shall arrive with his  
ship, and the goods laden on board and carried in  
her, that you would please to receive him courteously,  
and use him kindly, and admit him, upon paying the  
lawful and usual customs and other duties, to enter  
into, remain in, and pass from your ports, rivers, and  
dominions,

dominions, and there to enjoy all kind of right of navigation, traffic, and commerce, in all places where he shall think fit; which we shall most willingly and readily acknowledge upon all occasions. In testimony and confirmation whereof, we have caused the seal of our city to be hereunto put. Dated at  
in the day of  
in the year of our Lord

In testimony and confirmation of all and singular the premises, we the commissioners of his Majesty and the Lords the States General aforesaid, being sufficiently impowered thereunto, have to these presents subscribed our names, and sealed them with our seals, at London, the first day of December, 1674.

<i>Tho. Culpeper</i>	<i>J. Corver</i>
<i>G. Downing</i>	<i>G. Sautyn</i>
<i>Richard Ford</i>	<i>Samuel Beyer</i>
<i>Will. Thomson</i>	<i>And. Van Vossen</i>
<i>John Jollife</i>	<i>P. Duvelaer</i>
<i>John Buckworth</i>	<i>M. Michielzen.</i>

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[The following is printed from the copy published by authority in 1686.]

*Explanatory Declaration upon certain Articles of the Marine Treaties, concluded between his Majesty and the States General of the United Provinces, February 17, 1667, and December 1, 1674.*

WHEREAS some difficulty hath arisen concerning the interpretation of certain articles, as well in the treaty marine which was concluded the first day of December, 1674, as in that which was concluded the 17th of February, 1667, between his Majesty of Great Britain on the one part, and the States General of the United Provinces of the Low Countries on the



the other, relating to the liberty of their respective subjects to trade unto the ports of each other's enemies; We Sir William Temple, Baronet, Ambassador Extraordinary from his said Majesty of Great Britain, in the name and on the part of his said Majesty; and We William Van Heuckelom, Daniel Van Wyngaerden, Lord of Werckendam, Gaspar Fagel, Counsellor and Pensioner of Holland and West Friesland, John de Mauregnault, John Baron of Reede and Renswoude, William de Haren, Gretman of the Bilt, Henry Ter Borgh, and Luke Alting, Deputies in the Assembly of the said States General for the States of Guelderland, Holland, Zealand, Utrecht, Friesland, Overissell, Groningen, and the Ormlands, in the name and on the part of the said States General, have declared, as we do by these presents declare, that the true meaning and intention of the said articles is and ought to be, that ships and vessels belonging to the subjects of either of the parties, can and might, from the time that the said articles were concluded, not only pass, traffic, and trade from a neutral port or place to a place in enmity with the other party, or from a place in enmity to a neutral place, but also from a port or place in enmity, to a port or place in enmity with the other party, whether the said places belong to one and the same Prince or State, or to several Princes or States, with whom the other party is in war. And we declare, that this is the true and genuine sense and meaning of the said articles; pursuant whereunto we understand that the said articles are to be observed and executed on all occasions, on the part of his said Majesty and the said States General, and their respective subjects; yet so, that this declaration shall not be alledged by either party for matters which happened before the conclusion of the late peace in the month of February, 167 $\frac{1}{2}$ . And we do promise, that the said declaration shall be ratified by his said Majesty, and by the said States General, and that within two months, or sooner if possible,

ble, reckoning from the day and date of this declaration, the ratifications of the same shall be brought hither to the Hague, to be here exchanged. In witness whereof we have signed these presents at the Hague, this 30th day of December, 1675.

(L. S.) *W. Temple.* (L. S.) *W. Van Heuckelom.*  
 (L. S.) *D. Van Wyngaerden.*  
 (L. S.) *Gasp. Fagel.*  
 (L. S.) *Jo. Mauregnault.*  
 (L. S.) *John Baron van Reede*  
*vry Heer van Renswoude.*  
 (L. S.) *W. Haren.*  
 (L. S.) *H. Ter. Borgb.*  
 (L. S.) *L. Alting.*

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[The following is printed from the copy published by authority in 1784.]

*The Definitive Treaty of Peace and Friendship between his Majesty the King of Great Britain, and their High Mightinesses the States General of the United Provinces of the Low Countries.*

In the name of the most holy and undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those whom it shall or may in any manner concern. The most Serene and most Potent Prince and Lord George the Third, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswic and Lunenbourg, Arch-Treasurer and Elector of the holy Roman Empire, &c. and the High and Mighty Lords the States General of the United Provinces of the Low Countries, having laid the foundation of peace by the preliminary articles signed at Paris the second of September last; and his said Majesty and the said States General being desirous to complete so great and salutary a work, have  
 named

named and authorised, to wit, on the part of his Britannic Majesty, Daniel Hailes, Esq; his said Majesty's Minister Plenipotentiary to his most Christian Majesty; and on the part of their High Mightinesses the said States General, the most Noble and most Excellent Lords Mathew Lestevenon, Lord of Berkenroode and Stryen, Deputy to the States General of the United Provinces of the Low Countries from the province of Holland, and their Ambassador in Ordinary to his Majesty the most Christian King, and Gerard Brantsen, Burgomaster and Senator of the city of Arnheim, Counsellor and Grand Master of the Mint of the République, Deputy to the States General of the United Provinces, and their Ambassador Extraordinary and Plenipotentiary to his most Christian Majesty: who, after having duly communicated to each other their full powers in good form, have agreed upon the following articles.

I. There shall be a christian, universal, and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established, between his Britannic Majesty, his heirs and successors, kingdoms, dominions, and subjects, and their High Mightinesses the said States General, and their dominions and subjects, of what quality or condition soever they be, without exception either of places or persons; so that the high contracting parties shall give the greatest attention to the maintaining between themselves, and their said dominions and subjects, this reciprocal friendship and intercourse, without permitting hereafter, on either part, any kind of hostilities to be committed, either by sea or by land, for any cause or under any pretence whatsoever: and they shall carefully avoid, for the future, every thing which might prejudice the union happily re-established, endeavouring, on the contrary, to procure reciprocally for each other, on every occasion, whatever may contribute to their mutual glory, interests, and advantage, without giving any assistance or protection, directly or indirectly, to those who would  
do

do any injury to either of the high contracting parties. There shall be a general oblivion of every thing which may have been done or committed, before or since the commencement of the war which is just ended.

II. With respect to the honours of the flag, and the salute at sea, by the ships of the Republic towards those of his Britannic Majesty, the same custom shall be respectively followed, as was practised before the commencement of the war which is just concluded.

III. All the prisoners taken on either side, as well by land as by sea, and the hostages carried away or given during the war, and who have not yet been restored, conformably to the preliminary treaty, shall be restored as soon as possible, without ransom; each Power respectively discharging the advances which shall have been made, for the subsistence and maintenance of their prisoners, by the Sovereign of the country where they shall have been detained, according to the receipts, attested accounts, and other authentic vouchers, which shall be furnished on each side: and sureties shall be reciprocally given for the payment of the debts which the prisoners may have contracted in the countries where they may have been detained until their entire release. And all ships, as well men of war as merchant-ships, which may have been taken since the expiration of the terms agreed upon for the cessation of hostilities by sea, shall likewise be restored, *bonâ fide*, with all their crews and cargoes: and the execution of this article shall be proceeded upon immediately after the exchange of the ratifications of this treaty.

IV. The States General of the United Provinces cede and guaranty, in full right, to his Britannic Majesty, the town of Negapatnam, with the dependencies thereof; but in consideration of the importance which the States General of the United Provinces annex to the possession of the aforesaid town, the King

of Great Britain, as a proof of his good-will towards the said States, promises, notwithstanding this cession, to receive and treat with them for the restitution of the said town, in case the Lords the States should hereafter have an equivalent to offer him.

V. The King of Great Britain shall restore to the States General of the United Provinces, Trinquemale, as also all the other towns, forts, harbours, and settlements, which, in the course of the war, have been conquered, in any part of the world whatever, by the arms of his Britannic Majesty, or by those of the English East India Company, and of which he should be in possession; the whole in the condition in which they shall be found.

VI. The States General of the United Provinces promise and engage not to obstruct the navigation of the British subjects in the Eastern seas.

VII. Whereas differences have arisen between the English African Company, and the Dutch West India Company, relative to the navigation on the coasts of Africa, as also on the subject of Cape Apollonia; for preventing all cause of complaint between the subjects of the two nations on those coasts, it is agreed that commissaries shall be named, on each side, to make suitable arrangements on these points.

VIII. All the countries and territories which may have been, or which may be conquered, in any part of the world whatsoever, by the arms of his Britannic Majesty, as well as by those of the States General, which are not included in the present treaty, neither under the head of Cessions, nor under the head of Restitutions, shall be restored without difficulty, and without requiring any compensation.

IX. Whereas by the ninth article of the preliminary treaty, a period was stipulated and appointed, by the high contracting parties, for the restitutions and evacuations to be made, on each side, of the towns, fortresses,

resses, and territories which might have been conquered by their respective arms, and of which they should be in possession, excepting such as had been ceded; and whereas the term specified in the aforesaid ninth article is already expired, the high contracting parties engage reciprocally and *bonâ fide*, to observe the said stipulations, and in case; by any accident or otherwise, the cessions and restitutions therein comprised should not have taken place, to expedite immediately the necessary orders, to the end that there may be no further delay in the accomplishment of the said stipulations.

X. His Britannic Majesty and their High Mightinesses the aforesaid States General, promise to observe sincerely, and *bonâ fide*, all the articles contained and established in this present treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective subjects: and the said high contracting parties guaranty to each other, generally and reciprocally, all the stipulations of the present articles.

XI. The solemn ratifications of the present treaty, prepared in good and due form, shall be exchanged in this city of Paris, between the high contracting parties, in the space of one month, or sooner, if it can be done, to be computed from the day of the signature of the present treaty.

In witness whereof, we the under-written, their ambassadors and ministers plenipotentiary, have signed with our hands, in their names, and by virtue of our full powers, the present definitive treaty, and have caused the seals of our arms to be affixed thereto,

Done at Paris the 20th of May, one thousand seven hundred and eighty-four.

*Daniel Hailes.* (L. S.)

*Lesfeyenon van Berkenroode.* (L. S.)

*Brantjen.* (L. S.)

*Separate Article.*

I. IT has been agreed and determined, that the French language, made use of in all the copies of the present treaty, shall not form an example which may be alledged, or quoted as a precedent, or, in any manner, prejudice either of the contracting Powers; and that they shall conform, for the future, to what has been observed, and ought to be observed, with regard to, and on the part of Powers, who are in the practice and possession of giving and receiving copies of like treaties in a different language from the French; the present treaty having, nevertheless, the same force and virtue as if the aforesaid practice had been therein observed.

In witness whereof, we the under-written Ambassadors and Ministers Plenipotentiary of his Britannic Majesty, and of the States General of the United Provinces, have signed the present separate article, and have caused the seals of our arms to be affixed thereto.

Done at Paris, the twentieth of May, one thousand seven hundred and eighty-four.

*Daniel Hailes.* (L. S.)

*Lestevenon van Berkenroode.* (L. S.)

*Brantsen.* (L. S.)

*His Britannic Majesty's Full Power.*

GEORGE R.

GEORGE the Third, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, Duke of Brunswic and Lunenburgh, Arch-Treasurer and Prince Elector of the holy Roman Empire, &c. To all and singular to whom these presents shall come, greeting. Whereas, in order to perfect the peace between us and the High and Mighty Lords the States General of the United Netherlands, which was happily begun by the preliminary articles, signed at Paris the second day of September last, and to bring

bring the same to the desired conclusion, we have thought fit to invest some proper person with full power on our part; Know ye, that we, confiding entirely in the fidelity, diligence, ability, penetration, and experience in affairs of our trusty and well-beloved Daniel Hailes, Esq; our Minister Plenipotentiary to our good brother the most Christian King, have named, made, and constituted, and, by these presents, do name, make, and constitute him our true, certain and undoubted Commissioner, Procurator, and Plenipotentiary; giving and granting to him all and all manner of power, faculty, and authority, as also our general and special command (so that the general shall not derogate from the special, nor contrarywise) at the court of our said good brother the most Christian King, for us, and in our name, to meet and confer with the Ambassadors, Commissioners, Deputies, and Plenipotentiaries of the aforesaid Lords the States General of the United Netherlands, being furnished with sufficient authority, and with them to agree, treat, consult, and conclude upon the re-establishing, as soon as may be, of a firm and lasting peace, and sincere friendship and concord; and for us, and in our name, to sign whatever may be so agreed upon and concluded; and also to make, and mutually deliver and receive, a treaty or treaties, or such other and so many instruments as shall be requisite, upon the business concluded, and to transact all other matters, which may relate to the happily accomplishing of the aforesaid work, in as ample manner and form, and with equal force and effect, as we, if we were present, could do and perform: engaging and promising, on our Royal word, that we will approve, ratify, and accept, in every more perfect form, whatever may happen to be transacted and concluded by our said Plenipotentiary, and that we will never suffer the same to be violated or infringed by any one, either in the whole or in part. In witness, and for the greater validity of all which, we have caused our great seal of Great Britain to be affixed to



these presents, signed with our Royal hand. Given at our court at St. James's, the twenty-seventh day of April, in the year of our Lord one thousand seven hundred and eighty-four, and in the twenty-fourth year of our reign.

*The Full Power of the States General.*

THE States General of the United Netherlands: To all who shall see these presents, greeting. Whereas there is nothing we have more earnestly at heart, than that the war, in which we, together with other Powers, are involved, against Great Britain, may be terminated by a general, solid, and lasting peace, and that, in order to accomplish so desirable and salutary a purpose, negotiations may be forthwith begun; wherefore, moved by a desire of contributing whatever lies in our power to promote the negotiation for a general peace, and trusting that we shall find the most Serene King of Great Britain animated with the like sentiments, we, knowing the prudence, experience in affairs, and fidelity of the Lords Lestevenon de Berkenroode, our Ambassador to his most Christian Majesty, and Gerard Brantzen, Consul of the city of Arnheim, Counsellor and Master General of the Mint of the Republic, Deputy in ordinary from the province of Gueldres to our Assembly, and our Plenipotentiary, have authorised, appointed, commissioned, and deputed, as, by these presents, we do authorise, appoint, commission, and depute them, granting full power, as well as general and special command, to both of them conjointly, or to either of them in the absence of the other, whether on account of illness, or of any other impediment whatsoever, to treat with him or them who shall have been likewise invested by his Britannic Majesty with the necessary authority for that purpose, concerning all things which shall be judged expedient and requisite for concluding a general, lasting, and advantageous peace, to endeavour to remove all obstacles which may occur,

occur, to act, agree, and stipulate thereupon, in such manner as they shall think proper, and generally to do all things relative thereto, which we ourselves being present might do; promising sincerely and *bond fide*, that we will accept, perform, and ratify every thing which the said Lords our Ambassador and Plenipotentiary shall have stipulated, promised, or granted, and that we will issue our letters of ratification in due form. Given at the Hague under our great seal, signed by the President of our assembly, and countersigned by our Greffier, the nineteenth day of August, in the year one thousand seven hundred and eighty-two.

R. Sloet, P<sup>r</sup>.

By order of the aforesaid Lords the States General,  
H. Fagel.

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[The following is printed from the copy published by authority in 1788.]

*The Treaty of defensive Alliance between his Majesty the King of Great Britain, and their High Mightinesses the States General of the United Provinces, signed at the Hague the 15th of April, 1788.*

THE mutual and sincere friendship, which has so long subsisted between his Majesty the King of Great Britain, and the Lords the States General of the United Provinces, having been increased and strengthened by the interest, which his Britannic Majesty has lately manifested in the preservation of the independence of the Republic, and of its legal constitution, his said Majesty, and the said Lords the States General of the United Provinces, have resolved, in order to cement, in the most solid and lasting manner, the good harmony, confidence, and correspondence between them, to form permanent engagements, by a treaty of defensive alliance, for the good of both parties, and for the maintenance of the general tranquillity, as well as of their own in particular. To accomplish so sa-

lutary a purpose, his Majesty the King of Great Britain has named and authorized Sir James Harris, Privy Counsellor, Knight of the Bath, Member of the Parliament of Great Britain, and his Majesty's ambassador extraordinary and plenipotentiary to their High Mightinesses; and their High Mightinesses the States General of the United Provinces have named and authorized their Deputies for foreign affairs; who, after communicating to each other their full powers in due form, and having conferred together, have agreed upon the following articles:

I. There shall be a sincere, firm, and constant friendship and union between his Britannic Majesty, his heirs and successors, and the Lords the States General of the United Provinces, so that the high contracting parties shall direct their utmost attention to maintain this mutual friendship and correspondence between them, and their dominions and subjects; and they engage to contribute, as far as shall be in their power, mutually to preserve and defend each other in peace and tranquillity.

II. In case either of the high contracting parties should be hostilely attacked by any European Power, in any part of the world whatsoever, the other contracting party engages to succour its ally, as well by sea as by land, in order to maintain and guaranty each other mutually in the possession of all the dominions, territories, towns, places, franchises, and liberties, which belonged to them respectively before the commencement of hostilities.

III. His Britannic Majesty guaranties, in the most effectual manner, the hereditary stadtholderate, as well as the office of hereditary governor of each province, in the Serene House of Orange, with all the rights and prerogatives thereto belonging, as forming an essential part of the constitution of the United Provinces, according to the resolutions and diplomas of the years 1747 and 1748, by virtue of which the present Stadtholder

holder entered into the possession of those offices in 1766, and was reinstated therein in 1788; engaging to maintain that form of government against all attacks and enterprizes, direct or indirect, of whatsoever nature they may be.

IV. The succours mentioned in the second article of this treaty of defensive alliance, shall consist, on the part of his Britannic Majesty, of eight thousand infantry, two thousand cavalry, twelve ships of the line, and eight frigates; and, on the part of the States General, of five thousand infantry, one thousand cavalry, eight ships of the line, and eight frigates; which respective succours shall be furnished in the space of two months after requisition made by the party attacked, and shall remain at its disposal during the whole continuance of the war in which it shall be engaged, whilst those succours (whether ships and frigates, or troops) shall be paid and maintained by the Power of whom they shall be required, wherever its ally shall employ them.

V. In case the stipulated succours should not be sufficient for the defence of the Power requiring them, the Power to whom requisition shall be made shall successively augment them, according to the wants of its ally, whom it shall assist, even with its whole force, if circumstances should render it necessary; but it is expressly agreed, in all cases, that the contingent of the Lords the States General shall not exceed ten thousand infantry, two thousand cavalry, sixteen ships of the line, and sixteen frigates.

VI. But as it may happen (considering the distance of several of the possessions of the two high contracting parties) that the advantages which ought to result to them reciprocally from the conclusion of the present treaty, may become illusory, unless measures can be taken for the mutual defence of those possessions, before their respective governors could receive orders from Europe for that purpose; it is stipulated and  
agreed,

agreed, that in case either of them should be hostilely attacked, or even menaced with an hostile attack, in its possessions, whether in Africa or in Asia, by an European power, the governors of their settlements in those two parts of the world shall be enjoined to concert together the succour to be furnished, and, in case of need, to furnish such succour, in the most speedy and effectual manner, to the party attacked; and that orders to that effect shall be expedited to the said governors immediately after the conclusion of the present treaty: and in case the two high contracting parties should be obliged to furnish the aforesaid succours, they shall not permit the ships of war, of what nature they may be, of the Power attacking, to enter into any of their ports in the aforesaid settlements, until peace shall be restored between the party attacking, and the ally of the contracting party, unless the said vessels be forced to take refuge there, to avoid perishing, or being shipwrecked.

VII. If it should happen that the two high contracting parties shall be equally involved in a war against a common enemy, they reciprocally promise each other not to disarm but by common consent; and they shall communicate to each other confidentially the proposals for a peace, or truce, which may be made.

VIII. If the high contracting parties prefer furnishing their succours of troops in money, they shall be at liberty on each side so to do; and then such succour shall be computed at one hundred thousand florins, Dutch currency, per annum, for one thousand infantry, and at one hundred and twenty thousand florins, of the like value, for one thousand cavalry, per annum, and in the same proportion by the month.

IX. The Power requiring shall be obliged, whether the ships, frigates, and troops, with which it shall have been furnished, remain for a long or short time in its ports, to provide whatever they may want, at the same price as if they belonged to such Power itself.

It

It has been agreed, that the said troops or ships shall not in any case be at the expence of the party requiring, but that they shall nevertheless remain at its disposal, during the whole continuance of the war in which it shall be engaged. The succours above-mentioned shall, with respect to discipline be subject to the orders of the chief officer who commands them; and they shall not be employed separately, or otherwise than in concert with the said commanding officer: with regard to the operations, they shall be wholly subject to the orders of the commander in chief of the Power requiring.

X. It is agreed, that until the two Powers conclude a treaty of commerce with each other, the subjects of the Republic shall be treated, in the kingdoms of Great Britain and Ireland, as the most favoured nation; and the same shall be observed in the United Provinces towards the subjects of his Britannic Majesty. It is however to be understood, that this article is not to extend to a diminution of the import duties payable upon linens.

XI. Whereas by the fourth article of the treaty of peace, signed in the month of June, 1784, his Britannic Majesty engaged to treat with the Lords the States General for the restitution of Negapatnam, with its dependencies, in case the said Lords the States General should in future have any equivalent to give; and whereas their High Mightinesses have now renewed their request for obtaining that restitution, as well as for settling and determining precisely the sense of the sixth article of that treaty, concerning the navigation of British subjects in the Eastern seas; his Britannic Majesty, in order to manifest his good-will towards the Republic, is disposed to concur in these desires of their High Mightinesses, and even to secure to the Republic additional and real commercial advantages in that part of the world, as soon as an equivalent for those objects can be agreed upon; in return for which his Britannic Majesty

Majesty will require nothing but what is favourable to the reciprocal interests and security of the contracting parties in the Indies: and, to prevent the negotiations for such arrangements from retarding the conclusion of the present treaty, it is agreed, that they shall be begun as soon as possible, and be concluded in the space of six months from the date of the present treaty; and that the convention to be made thereon shall have the same force as if it was inserted in the treaty itself.

XII. The present treaty shall be ratified on each side, and the exchange of the ratifications shall be made in the space of six weeks, or sooner, if it can be done.

Done at the Hague, the fifteenth of April, one thousand seven hundred and eighty-eight.

(L. S.) *James Harris.*

(L. S.) *J. W. Comte de Welderen.*

(L. S.) *W. F. H. van Wassenaer.*

(L. S.) *L. P. van de Spiegel.*

(L. S.) *Guillaume de Citters.*

(L. S.) *W. N. Pesters.*

(L. S.) *Charles Bigot.*

(L. S.) *M. B. C. van Voerst v. Borgel.*

## The AUSTRIAN NETHERLANDS.

- 1496  
to  
1506. **T**HERE are various commercial treaties with the Netherlands, from the *Intercursus magnus* to the *Intercursus malus*.  
*Rym. Fæd.* vol. xii. p. 578-654-711. vol. xiii. p. 6-132.  
*Treat.* 1732, vol. ii. p. 1-28.
1604. The articles of peace, intercourse, and  
18 Aug. commerce, between Great Britain, Spain, and the Netherlands, concluded at London.  
*Treat.* 1732, vol. ii. p. 131.
1648. The treaty of Westphalia, between the  
30 Jan. Emperor, Spain, the States General, and Sweden. *Mably, Dr. Pub.* vol. i. ch. i.  
*Treat.* 1732, vol. i. p. 1. vol. ii. p. 335.  
*Treat.* 1785, vol. i. p. 1-44.
1667. The articles of peace, alliance, and com-  
1<sup>3</sup>/<sub>3</sub> May. merce, between Great Britain and Spain, usually called, The Treaty of Madrid, which is hereafter printed, vol. ii. p. 5.
1701. The treaty between Great Britain, the  
7 Sept. Emperor, and the States General, concluded at the Hague; usually called, The Second Grand Alliance.  
*Treat.* 1732, vol. i. p. 415.  
*Treat.* 1785, vol. i. p. 326.
1713. A convention for a provisional regulation  
1<sup>3</sup>/<sub>3</sub> July. of trade in the Netherlands, concluded at Utrecht.
1715. The convention, made at London, relat-  
26 July. ing to the duties payable on the impor-  
tation



tation of British woollen cloths into the Austrian Netherlands.

*Pap. Off. A.* 17.

*Treat.* 1732, vol. iv. p. 444.

*Treat.* 1785, vol. ii. p. 144.

1715.  
15 Nov. The Barrier treaty between Great Britain, the Emperor, and the States General, with the tariff of duties payable in the Austrian Netherlands, according to the 26th article of this treaty, concluded at Antwerp.

*Pap. Off. A.* 18.

*Board of Trade*, O. 52.

*Roussel, Recueil Historique*, tom. i. p. 37.

*Treat.* 1785, vol. ii. p. 148.

1716.  
25 May. The defensive alliance between Great Britain and the Emperor, with the separate and secret articles, and Count Volkra's declaration, dated the 3<sup>o</sup> August, 1716, about the trade in Flanders; concluded at Westminster.

*Pap. Off. A.* 19.

*Roussel, Recueil Historique*, tom. i. p. 469.

*Treat.* 1785, vol. ii. p. 175.

1718.  
22 July,  
2 Aug. The quadruple alliance between Great Britain, the Emperor, and the States General, with the separate and secret articles, concluded at London.

*Pap. Off. A.* 23.

*Roussel, Recueil Historique*, tom. i. p. 180.

*Treat.* 1785, vol. ii. p. 199.

1718.  
22 Dec. The convention between Great Britain, the Emperor, and the States General, relating to the execution of certain points of the Barrier treaty, concluded at the Hague,

*Pap. Off. A.* 26.

*Board of Trade*, R. 164.

*Roussel, Recueil Historique*, tom. i. p. 400.

*Treat.* 1785, vol. ii. p. 228.

1743.] AUSTRIAN NETHERLANDS. 207

1731. The treaty between Great Britain, the  
16 March. Emperor, and the States General, with the  
separate and secret articles; concluded at  
Vienna. *Pap. Off. A.* 35.

*Rouffet, Recueil Historique*, tom. vi.  
p. 16.

*Rouffet, Sup. au Corps Diplom.* tom.  
ii. part. ii. p. 288.

*Treat.* 1785, vol. ii. p. 318.

1731. The treaty between Great Britain, the  
22 July. Emperor, and Spain, with the separate and  
secret articles; concluded at Vienna.

*Pap. Off. A.* 36.

*Rouffet, Recueil Historique*, tom. vi.  
p. 193.

*Rouffet, Sup. Corps Diplom.* tom. ii.  
part. ii. p. 307.

*Treat.* 1785, vol. ii. p. 333.

1743. The treaty of Worms, between Great  
1, Sept. Britain, Hungary, and Sardinia.

*See it*, vol. ii. under the art. SAR-  
DINIA.

*Treat.* 1785, vol. ii. p. 355.

[The following is printed from the copy which was  
published by authority in 1713.]

*A Provisional Regulation of Trade, in the Spanish Low  
Countries, made at Utrecht the 1<sup>st</sup>/<sub>8</sub> Day of July,  
1713.*

IN order to make a provisional regulation of the  
commerce in and through the Low Countries, as well  
those that are called Spanish, as those that have been  
re-conquered and yielded, it is agreed,

I. That in all the places of importation or export-  
ation in the said Spanish Low Countries, re-conquered  
and yielded up, the duties upon merchandize shall be  
exactd and paid upon the same foot as they were ex-  
actd and paid in the year 1680.

II. All

II. All sorts of merchandize imported by the subjects of Great Britain, or the United Provinces, which have formerly enjoyed the right of transit or passage, shall enjoy the same for the future; and the merchandize of Great Britain, and the United Provinces, which have enjoyed this right of transit, shall still enjoy the same, although those who import them are not subjects either of the Queen of Great Britain, or their High Mightinesses; and this duty shall not exceed two and a half per cent.

III. All duties of entrance upon merchandize, coming out of the other parts of the Spanish Low Countries, and entering into those which are called re-conquered and yielded, shall cease; and not only the merchandize of Great Britain, and the United Provinces, that may be brought into those parts by others, but the subjects also of Great Britain, and the United Provinces, shall from this time be free from all duties of entrance for their merchandize in the said Low Countries, which are re-conquered and delivered up.

IV. That the duties of consumption in the towns and other places of the Low Countries, that are re-conquered and yielded up, shall be altogether the same upon the goods and merchandize of each nation, and the same liberty of selling, or exposing them to sale, be allowed to both; and that the said duties shall not exceed what was customary in the said towns and places before the conquest.

V. That the duty of exportation, which has been exacted for merchandize going out of the Low Countries, in order to pass into the new conquests, or places that have been yielded, shall cease from this time; and the merchandize, likewise, which shall be carried out of the said Low Countries, in order to go to France, or any other country, either through the places lately re-conquered and delivered up, or any other, shall pay but one duty of exportation, which shall be that which was paid in the Spanish Low Countries, in  
the

the year one thousand six hundred and eighty, and it shall not be lawful to exact more or less for the importation, exportation, or passage of merchandize, than was paid in the said year one thousand six hundred and eighty, so long as this provisional regulation shall remain in force.

VI. As to the right of convoy, it is referred to the consideration of the ministers of the Queen of Great Britain, and their High Mightinesses, at Brussels.

VII. The Queen of Great Britain, and their High Mightinesses, shall give orders to their ministers at Brussels, to take such effectual methods, that all and every one of the articles of this provisional regulation may be speedily put in execution, and duly observed.

In witness whereof we have signed this instrument, and caused it to be sealed with our arms. Done at Utrecht, this <sup>fifteenth</sup>/<sub>twenty-sixth</sub> day of July, in the year one thousand seven hundred and thirteen.

(L. S.) *Job. Bristol*, C. P. S.

(L. S.) *J. B. V. Randyck*.

(L. S.) *William Buys*.

(L. S.) *Strafford*.

(L. S.) *S. V. Dussen*.

(L. S.) *V. Gbeel van Spanbroeck*.

(L. S.) *F. Baron de Reede de Renf-  
woude*.

(L. S.) *Graef van Knipbuisen*.

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[The following is printed from the copy which was published by authority.]

*The Treaty for settling the Barrier, &c. in the Netherlands, between the most Serene and most Potent Prince Charles VI. Emperor of Germany, &c. and the most Serene and Potent Prince George, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General of the*

United Netherlands; *concluded at Antwerp on the 15th of November, 1715.*

GEORGE, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. To all and singular to whom these present letters shall come, greeting. Whereas the Ministers Plenipotentiaries, as well on our part, as on those of his Imperial and Catholic Majesty, and of the High and Mighty Lords the States General of the United Netherlands, having met at Antwerp, and being empowered with sufficient orders and authority, did, on the fifteenth day of the present month of November, conclude and sign a certain treaty, in the following form and words.

IT having pleased the Almighty to grant peace for some time past to Europe, and nothing being more desirable and necessary, than to re-establish and secure every where, as much as can be, the common and public safety and tranquillity, and their High Mightinesses the Lords the States General of the United Provinces, having engaged to deliver up the Netherlands to his Imperial and Catholic Majesty Charles VI. pursuant to what is stipulated and agreed by the treaty made at the Hague on the seventh of September, one thousand seven hundred and one, between his Imperial Majesty Leopold, of glorious memory, his Britannic Majesty, William III. also of glorious memory, and the said States General, that the said Powers should agree together upon what might relate to their mutual interests, particularly with respect to the manner by which the security of the Netherlands might be established, to serve for a barrier to Great Britain, and to the United Provinces, and with respect to the commerce of the inhabitants of the said Netherlands, and of Great Britain, and of those of the United Provinces, and his Imperial and Catholic Majesty Charles VI. to whom the said Netherlands shall be delivered by this treaty, his Britannic Majesty George, both

now reigning, and both lawful heirs and successors of the said Emperor and King, and the Lords the States General of the United Provinces, acting herein by the same principles of friendship, and with the same intention to procure and establish the said mutual safety, and to corroborate more and more a strict union, have to this end nominated, constituted, and appointed, for their Ministers Plenipotentiaries, that is to say, his Imperial and Catholic Majesty, Joseph Lothaire, Count Kinigegg, his Chamberlain, Counsellor of War, and Lieutenant General of his armies; his Britannic Majesty, William Cadogan, Esq; his Envoy Extraordinary to their High Mightinesses the Lords the States General of the United Provinces, a Member of the Parliament of Great Britain, Master of the Robes to his Majesty, Lieutenant General of his armies, and Colonel of his second regiment of guards; and the States General, M. Bruno vander Dussen, ancient Burgomaster, Senator and Counsellor Pensionary of the city of Gouda, Assessor in the Council of the Heemrades of Schieland, Dykegrave of the Crimpenerwaard; Adolphus Henry Count Rechteren, Lord of Almelo and Vrieseven, &c. President of the Lords the States of the Province of Overijssel, Drossard of the district of Zalland; Seato van Gockinga, Senator of the city of Groninghen; and Adrian van Borfelle, Lord of Gueldermalfen, &c. Senator of the town of Flushing; the three former, Deputies in the Assembly of the Lords the States General on the part of the provinces of Holland and Westfriseland, Overijssel, and Groninghen and the Ommelands, and the fourth, Deputy in the Council of State of the United Provinces; who, having met in the city of Antwerp, which by common consent had been named for the place of congress, and having exchanged their full powers, copies of which are inserted at the end of this treaty, after several conferences have agreed for, and in the name of his Imperial and Catholic Majesty, his Britannic Majesty,

and the Lords the States General, in the manner following.

I. The States General of the United Provinces shall deliver up to his Imperial and Catholic Majesty, by virtue of the grand alliance in the year one thousand seven hundred and one, and of the engagements into which they have since entered, immediately after the exchange of the ratifications of the present treaty, all the provinces and towns of the Netherlands, with their dependencies, as well those which were possessed by the late King of Spain Charles II. of glorious memory, as those which have not long since been yielded by his late most Christian Majesty also of glorious memory; which provinces and towns together, as well those which shall be delivered up by this present treaty, as those which have been already delivered, shall for the future make and compose, in all or in part, but one sole and indivisible, inalienable, and unexchangeable demesne, which shall be inseparable from the dominions of the House of Austria in Germany, to be enjoyed by his Imperial and Catholic Majesty, his successors and heirs, in full irrevocable sovereignty and propriety, that is to say, with respect to the former provinces, as they were enjoyed or ought to have been enjoyed by the late King Charles II. of glorious memory, conformably to the treaty of Ryswick, and as to the other provinces, in the manner and on the conditions upon which they were yielded and delivered up to the said Lords the States General by the late most Christian King of glorious memory, in favour of the most august House of Austria, and without other incumbrances or mortgages, charged thereon by the States General, and for their benefit.

II. His Imperial and Catholic Majesty promises and engages, that no province, city, place, fortress, or territory of the said Netherlands, shall be yielded, transferred, given, or fall to the crown of France, or to any Prince or Princess of the house and lineage of France,

France, or to any other who shall not be the successor, heir, and possessor of the dominions of the House of Austria in Germany, either by gift, sale, exchange, marriage-contract, inheritance, succession by will, or in default of a will, or upon any other title or pretext whatsoever; so that no province, city, place, fortress, or territory of the Netherlands, shall ever be subject to any other Prince, than only to the successors to the said dominions of the House of Austria, except what has already been yielded to the King of Prussia, and what shall be yielded by this present treaty to the said Lords the States General.

III. As the security of the Austrian Netherlands will depend principally on the number of troops which may be kept up in the said countries, and in the places which are to form the barrier that has been promised to the Lords the States General by the grand alliance, his Imperial and Catholic Majesty, and their High Mightinesses, have agreed to maintain therein always, each at their own charge, a body of between thirty and thirty-five thousand men, of which his Imperial and Catholic Majesty shall furnish three-fifths, and the States General two-fifths, provided that if his Imperial and Catholic Majesty lessen his contingent, it shall be in the power of the said States General to lessen theirs, in proportion; and when there shall be a likelihood of war, or of an attack, the said body shall be augmented to forty thousand men, according to the same proportion; and in case of actual war, a further agreement shall be made for such forces as shall be judged necessary.

The repartition of the said troops in time of peace, so far as it relates to the places committed to the keeping of their High Mightinesses troops, shall be made by themselves only, and the repartition of the rest by the governor general of the Netherlands, acquainting each other mutually with the dispositions they shall make.



IV. His Imperial and Catholic Majesty grants that the States General shall have a garrison intirely of their own troops in the towns and castles of Namur and Tournay, and in the towns of Menin, Furnes, Warneton, Ypres, and Fort Knocque; and the States General engage not to employ in the said places, troops which though in their pay, may belong to a prince or nation that may be at war against, or suspected to be in engagements contrary to the interests of his Imperial and Catholic Majesty.

V. It is agreed, that in the town of Dendermonde there shall be a joint garrison, which for the present shall be composed of one battalion of Imperial troops, and of one of those of the States General, and if hereafter it may be necessary to augment the said garrison, that augmentation shall be made equally with troops of both parties, and by common concert. The governor shall be appointed by the Emperor; who, as well as the subalterns, shall take an oath to the States General, never to do, or permit any thing to be done in the said town, which may be prejudicial to their service, with respect to the preservation of the said town and garrison, and he shall be obliged by the same oath to give free passage to their troops, whenever and as often as they shall desire it, provided it be previously asked, and only for a moderate number at a time. The whole according to the form which has been agreed on, and which shall be inserted at the end of this treaty.

VI. His Imperial and Catholic Majesty consents likewise, that in the places above granted to the States General, for keeping garrisons intirely their own, they may put such governors, commandants, and other officers who compose the Etat Major as they shall think fit, on condition that they shall not be chargeable to his Imperial and Catholic Majesty, nor to the towns and provinces, otherwise than for convenient lodging, and the emoluments arising from the fortifications,  
and

and that they be not persons who may be disagreeable to or suspected by his said Majesty, for reasons to be particularly alledged.

VII. Which governors, commandants, and officers, shall be intirely and absolutely dependent on, and subject to the sole orders and sole judicature of the States General, in all that relates to the defence, guard, security, and all other military concern of their places; but the said governors, as well as their subalterns, shall be obliged to take an oath to his Imperial and Catholic Majesty, to keep the said places faithfully under the sovereignty of the House of Austria, and not to intermeddle in any other affair, according to the form which has been agreed upon, and is inserted at the end of this treaty.

VIII. The generals shall give reciprocally, as well in the towns where there shall be a garrison of his Imperial and Catholic Majesty, as in those which are intrusted to the keeping of the troops of their High Mightinesses, the usual honours according to their character, and the custom of each service; and in case the governor general of the Netherlands comes into the places committed to the keeping of the troops of the States General, the honours shall be shewn him which he is used to receive in the places where are garrisons of his Imperial and Catholic Majesty; he shall also give out the word there; the whole without prejudice to the sixth article.

And the governors, and in their absence the commandants, shall communicate to the said governor general the dispositions made by them, for the security and guard of the places committed to their care, and he shall have fit regard to the alterations which the said governor general may judge ought to be made in them.

IX. His Imperial and Catholic Majesty grants the exercise of their religion to the troops of the States General, wherever they shall be in garrison; but this shall

be done in particular places that are convenient and proportioned to the number of the garrison, which the magistrates shall appoint and keep in repair in every town and place where none are already settled, which places shall not be distinguished by any exterior marks of a church; and the civil and military officers, as also the ecclesiastics, and all others whom it concerns, shall be strictly enjoined, on both sides, to hinder all occasion of scandal and contest which may arise on the subject of religion; and when any dispute or difficulty shall arise, it shall be made up amicably on both sides. And as to religion with respect to the inhabitants of the Austrian Netherlands, all things shall rest and remain on the same foot they were during the reign of King Charles II. of glorious memory.

X. All stores of war, artillery, and arms, of the States General; as also materials for the fortifications, corn in time of scarcity, provisions to be put into magazines, when there shall be a likelihood of war; as also cloth and furniture for cloathing the soldiers, which shall be certified to be intended for that use, shall pass free, and without paying any duties or tolls, by virtue of passports which shall be asked and granted upon a specification signed; on condition, however, that at the first custom-office of his Imperial and Catholic Majesty where the said stores, materials, arms, and mounting shall enter, the boats and other carriages may be duly searched, at the place where they are to be unloaded, to hinder the mixing of other merchandize among them, and for preventing all fraud and abuse, against which it shall always be free to use such precautions as by course of time and experience shall be judged necessary; nor shall the governors and their subalterns be permitted to obstruct in any wise the execution of this article.

XI. The States General shall change their garrisons and the dispositions of the troops in the towns and places committed to their own keeping, as they shall

shall think fit; nor shall the passage of the troops which they shall send thither, or which they shall draw from time to time, be hindered or stopt under any pretext whatever: the said troops shall likewise, when the case may require, pass through all the towns of Brabant and Flanders, and through all the open country, make bridges as well over the canal between Bruges and Ghent, as over all the other canals, and over all the rivers which shall be in their routes; on condition, however, that they shall be troops of a prince or of a nation not in war with his Imperial and Catholic Majesty, nor suspected of any engagement or obligation contrary to his interests, as is said above in the fourth article, and that previously notice shall be given and requisition made to the governor general of the Netherlands, with whom the route and other necessary points shall be regulated by some person commissioned by their High Mightinesses.

The regulation made by the States General concerning the passage of their troops, shall be observed, as it is observed in their own country.

And the States General shall endeavour to make the said changes of garrisons, as well as the necessary dispositions for the same, in such manner as may be least expensive and inconvenient to the inhabitants.

XII. The common safety requiring in time of war, or in imminent danger of war, that the States General should send their troops into the places which shall appear to be most exposed to the hazard of being attacked or surprized, it is agreed between his Imperial and Catholic Majesty, and the States General, that their troops shall be received into the said places so far as shall be necessary for their defence, when the case shall apparently happen, provided that this be done by agreement, and by concert with the governor general of the Netherlands.

XIII. The States General may at their cost and expence cause the said towns and places to be fortified,

fied, either by new works, or by repairing the old, keep them up, and in general provide whatever they shall think necessary for the security and defence of the said towns and places, except that they shall not cause new fortifications to be built, without giving previous notice to the governor general of the Netherlands, and hearing his opinion and considerations thereupon, nor shall they be charged to the account of the Emperor or of the country, but by his Majesty's consent.

XIV. For the security of the communication between the United Provinces, and the towns and places of the barrier, his Imperial and Catholic Majesty shall cause such measures to be taken, that letters and messengers, as well ordinary as extraordinary, may pass freely to and from the towns and places of the barrier, and through those of other countries, on condition that the said messengers shall not charge themselves with letters or packets of merchants or other private persons, which, as well for the places of the barrier as for any other place, ought to be put into the post-offices of his Imperial and Catholic Majesty.

XV. As for the artillery, magazines, and stores of war, which their High Mightinesses have in the towns and places which they deliver up to his Imperial and Catholic Majesty, they shall be allowed to cause the same to be removed without any hinderance, and without paying any duties or tolls, as well what they themselves have caused to be conveyed thither, as the artillery marked with their arms, lost in the last war, and otherwise belonging to them, which they shall have found in the said places; unless his Imperial and Catholic Majesty desires to take the said artillery and stores of war on his own account, and agrees upon price with their High Mightinesses before the delivery of the places committed to the keeping of the troops of the States General; and as to the artillery and ammunition which are now in the places committed

ted to the keeping of the troops of the States General, they shall be left in their keeping and disposal, according to the inventories of them which shall be drawn up and signed on both sides, before the exchange of the ratifications of the present treaty, without being allowed to cause them to be removed elsewhere, unless by common consent; and the property of what is found in the said places at the time of their cession or delivery, shall remain in his Imperial and Catholic Majesty.

XVI. In case the provinces of the Austrian Netherlands should be attacked, and it should happen (which God forbid) that the enemies armies should enter Brabant, there to act, and lay siege to some places in the said province, or to some of those which make its barrier; it shall be lawful for their High Mightinesses to cause their troops to take possession and post themselves in the towns and places on the Demer, from the Schelde to the Maese, as also to throw up intrenchments and lines, and make inundations, to prevent the farther progress of the enemies, in such manner as the reason of war may require.

XVII. It being manifest by the experience of the last war, that for securing the frontiers of the States General in Flanders, it was necessary to have several bodies of troops so considerable that the army was very much weakened by it; for preventing that inconvenience, and for the better securing the said frontiers for the future, his Imperial and Catholic Majesty yields to the States General such forts, and as much territory of the Austrian Flanders lying contiguous to their said frontiers, as shall be wanted for making the necessary inundations, and for covering them effectually from the Schelde to the sea, in those places where they are not yet sufficiently secured, and where they cannot be so by inundations on those lands only which do already belong to the States General. For this end his Imperial and Catholic Majesty consents and approves,

approves, that for the future the limits of the States General in Flanders shall begin at the sea between Blankenberg and Heyft, at the place where are no Downs, provided that they shall not build nor permit the building of villages or houses near the said post, nor suffer any settlement of fishermen, nor make any sluices to the sea.

And their High Mightinesses do farther promise, that if they think fit to cause any fortifications to be built at the head of their new limits, they will take care not to diminish the strength of the Digue, and will not only take upon themselves the extraordinary expence which may be occasioned by means of the said fortifications, but will make good to the inhabitants of the Austrian Flanders all the losses which they may suffer, in case the sea should happen to make inundations by reason of the foresaid fortifications.

From the forementioned post a line shall be drawn directly to the Goteweegie, whence the line shall be continued to Heyft, from Heyft it shall extend to Driehoek and Swarte-Sluas, thence to Fort St. Donas, which his Imperial and Catholic Majesty yields in propriety and sovereignty to their High Mightinesses (provided the gates of the sluices at the said fort shall be and remain taken off in time of peace;) and likewise yields the ground situate to the north of the line above-described.

From Fort St. Donas the new limits of the States General shall extend to Fort St. Job, whence they shall turn into the antient limits near the town of Middlebourg, which limits shall stretch along the Zydlingsdyke to the place where the Eeckeloofewatgang and the Waterloop meet at a sluice.

Thence the Graaf Jansdyke shall carry them on to the village of Bouchoute (the persons interested in the sluices there being permitted to replace them where they were formerly) and from the said Bouchoute the line shall be continued directly to the antient limits of the States General.

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His Impérial and Catholic Majesty yields likewise in full and entire sovereignty to the States General, the territory situate northward of the said line.

And whereas, for their entire security, it is necessary the inundation should be continued from Bouchoute to the canal of the Sas van Ghent along the Graaf Jansdyke, it shall be lawful for their High Mightinesses, in time of war, to possess and cause to be fortified all the sluices in the Graaf Jansdyke and Zydlingdyke.

As for the town of Sas van Ghent, the limits shall be extended to the distance of two thousand geometrical paces, provided there be no villages included in that compass of ground.

And for the preservation of the lower Schelde, and of the communication between Brabant and that part of Flanders belonging to the States General, his Imperial and Catholic Majesty yields in full and entire propriety and sovereignty to the States General, the village and Polder of Doel, as also the Polders of St. Anne and of Ketenisse.

And whereas in time of war it will be needful, for the greater security, to make inundations by the sluices between the forts Mary and Pearl, his Imperial and Catholic Majesty will, as soon as the barrier shall be attacked, or the war begun, commit the keeping of fort Pearl and the sluices to their High Mightinesses; on condition, that when the war ceases, they shall restore those sluices, and the said fort Pearl, to his Imperial and Catholic Majesty, as also those which they shall have taken into their possession in the Graaf Jansdyke and Zidlingdyke. The States General shall not make any inundation in time of peace, and when they think themselves obliged to make any in time of war, they shall previously give notice of it to the governor general of the Netherlands, and concert the matter with the generals commanding the armies in the Netherlands. Promising besides, that if by reason of the cession of some sluices (the free use of which the inhabitants



habitants of the Austrian Flanders shall retain in time of peace) the said inhabitants should happen to suffer some damage or prejudice, either by the commanding or other military officers, the States General will not only immediately redress the same, but will likewise make good the loss of the persons concerned.

And seeing by this new situation of the limits, it will be necessary to remove the custom-offices, for preventing frauds, in which his Imperial and Catholic Majesty, and their High Mightinesses, are equally concerned, it shall be agreed at what places to establish those offices, and what farther precautions to take, as shall be judged necessary.

It is farther stipulated by this article, that before the ratification of the present treaty, a computation shall be made of the revenues which the Sovereign receives from the lands that shall be yielded to their High Mightinesses by this article; as also of the profit that has arisen to the Sovereign by the renewal of grants, upon the foot on which they have been bestowed for these thirty years last past; to be deducted and abated out of the annual subsidy of five hundred thousand crowns.

And the Roman Catholic religion shall be preserved and maintained in the places yielded as above, in all respects on the foot it is now exercised there, and as it was in the time of King Charles II. of glorious memory, and the privileges of the inhabitants shall in like manner be preserved and maintained.

The fort of Roden Huysen shall be razed, the differences concerning the canal of Bruges shall be referred to the decision of neutral arbitrators to be chosen on both sides; but it is understood that by the cession of fort St. Donas, those of the town of Sluys shall not have more right to the said canal than before that cession.

XVIII. His Imperial and Catholic Majesty yields to their High Mightinesses the States General for ever, in full sovereignty and propriety, in the upper quarter  
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of Gelderland, the town of Venlo with its Banlieue, and the fort of St. Michael, as also the fort of Stevenwaert with its territory or Banlieue, together with as much ground as is necessary for enlarging their fortifications on this side of the Maese; and his said Majesty promises never to cause to be built, or to suffer another to build, any fortification, by what name soever, within the distance of half a league of the said fortrefs.

His Imperial and Catholic Majesty yields also to the States General the Ammanie of Montfort, consisting, (the villages of Swalmt and Elmt excepted, which he reserves to himself) of the small towns of Neustadt and Echt, with the following villages; that is to say, Ohe, and Laeck, Roastren, Braght, Bessel, Belsen, Vlodorp, Postert, Berg, Lin, and Montfort, to be possessed by the said States General in the manner they were possessed and enjoyed by his Majesty King Charles II. of glorious memory, with the prefectures, bourgs, fiefs, lands, estates, quit-rents, rents, revenues, tolls, of what nature soever, subsidies, contributions, and collections, feudal, domanial, and other rights whatsoever, belonging to the said places yielded as above; the whole however without prejudice to, and with a reservation of all the rights which may belong to his Majesty the King of Prussia; and this notwithstanding all exceptions, pretensions, or oppositions, made or to be made, to disturb the States General in the peaceable possession of the places yielded by the present article, all agreements, conventions, or dispositions contrary to the present article being deemed null and of no validity. But it is understood, that this cession is made with this express clause, that the statutes, antient customs, and generally all the privileges, civil and ecclesiastical, as well with respect to the magistrates and private persons, as to the churches, convents, monasteries, schools, seminaries, hospitals, and other public places, with all their appurtenances and dependencies; as also the diocesan right of the  
Bishop

Bishop of Ruremonde, and generally whatever concerns the rights, liberties, immunities, functions, usages, ceremonies, and exercise of the Catholic religion, shall be preserved, and shall subsist without any change or innovation to be made directly or indirectly, in all the places yielded as above, in the manner as at the time of King Charles II. of glorious memory, and as it shall be explained on both sides more amply in case any dispute happens on this subject; and the magistracy, and other offices of the civil administration, shall not be given to any other persons than such as are of the Catholic religion.

The right of collating to benefices, which has hitherto been in the Sovereign, shall henceforward belong to the Bishop of Ruremonde, on condition that the said benefices shall not be given to other persons than such as shall not be disagreeable to the States General, for reasons to be particularly alledged.

It is also stipulated, that the States General shall not pretend to have acquired by the cession of the town of Echt any right of judicature, or of appeal, with relation to the chapter of Thorn, or other territories of the empire, and his Imperial and Catholic Majesty shall be free to name such place as he shall think proper for the said judicature or appeal.

And seeing the inhabitants of that part of the upper quarter which is thus yielded, can no longer remove their suits, in case of appeal, to the court at Ruremonde, their High Mightinesses shall be at liberty to erect a court of appeal for their subjects in such place of the province as they shall think fit.

It is farther agreed, that the duties of importation and exportation, which are levied all along the Maese, shall not be raised or lowered, in all or in part, but by common consent, of which duties his Imperial and Catholic Majesty shall have the produce to himself of what is collected at Ruremonde and Navagne, and the Lords the States General those which are collected at Venlo; and as those duties on the Maese in general,  
as

as also those on the Schelde additionally, are appropriated to the payment of two distinct annuities; that is to say, one of fourscore thousand; and one of twenty thousand florins yearly, by virtue of the contract made and concluded the twenty-sixth of December, one thousand six hundred eighty-seven, with his late Majesty of Great Britain William III. it is agreed, that their High Mightinesses, on account of the fore-mentioned cession, shall assist his Imperial and Catholic Majesty in the yearly payment of the said annuities, and other debts for which they may be mortgaged, proportionably to the produce of the duties out and in which they shall receive, the whole according to the settlements of the said annuities.

And as to the debts and incumbrances contracted and charged upon the generality of the upper quarter, the States General shall concur in the payment thereof, as to their quota, according to the proportion specified in the register of the whole upper quarter aforesaid.

All the records and papers which concern the upper quarter of Guelderland, shall remain as formerly in the archives of Ruremond; but it is agreed that an inventory or register of them shall be made under the joint inspection of the commissioners of his Imperial and Catholic Majesty, of his Prussian Majesty, and of the Lords the States General, and an authentic copy of the said inventory shall be given to each of the three Powers, that they may have always free access to all the papers and records for which they have occasion, with respect to that part which they possess in the said upper quarter of Guelderland, and of which an authentic copy shall be delivered to them at the first demand.

XIX. In consideration of the great charge and extraordinary expence which the States General are indispensably obliged to be at, as well for maintaining the great number of troops, which they have engaged themselves by this present treaty to keep in the towns

above-named, as for defraying the great expence absolutely necessary for keeping up and repairing the fortifications of the said places, and for furnishing them with ammunition and provision, his Imperial and Catholic Majesty engages and promises to cause to be paid annually to the States General the sum of five hundred thousand crowns, or twelve hundred and fifty thousand florins, Dutch money, over and above the revenue of that part of the upper quarter of Guelderland, yielded in propriety by his Imperial and Catholic Majesty to the States General, by the eighteenth article of the present treaty; as also over and above the expence for lodging the troops, according to the regulation made in the year one thousand six hundred ninety-eight, in the manner which shall be particularly agreed upon; which sum of five hundred thousand crowns, or twelve hundred and fifty thousand florins, Dutch money, shall be secured and charged, as by this article it is secured and charged upon all the revenues in general of the Austrian Netherlands, including therein the countries yielded by France, and particularly upon the clearest and least incumbered revenues of the provinces of Brabant and Flanders, and upon those of the countries, towns, castellanies, and dependencies yielded by France, as is more particularly agreed by a separate article, as well for the mortgage as for the method and terms of receiving the said sum; and the said payment of the subsidy of five hundred thousand crowns, or twelve hundred and fifty thousand florins, Dutch money, shall begin from the day of signing this present treaty; out of which shall be deducted, in proportion to the time, the revenues of the towns, castellanies, and dependencies, yielded by France, which shall become due from the said day till the day when the said Netherlands shall be delivered to his Imperial and Catholic Majesty, for so much as the States General shall have received.

XX. His Imperial and Catholic Majesty confirms and ratifies by this article the capitulations granted to  
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the provinces and towns of the Netherlands formerly called Spanish, at the time they were reduced to the obedience of his said Majesty; as also the general administration of the said country exercised therein by Great Britain and the States General of the United Provinces, representing the lawful Sovereign by their ministers who resided at Brussels, and by the council of state appointed for the general government of the said Netherlands, in consequence of the power and instructions which were given to the said council, and of the requisitions which were made to it on the part of the two Powers, as well in matter of royalty, of justice, and of civil magistracy, as of finances; as also the particular administration of the states and provinces, of the colleges, of the towns, and of the communities in the open country; together with the sovereign courts of justice, and other inferior courts and judges; which acts of civil magistracy, royalty, justice, and finances, shall subsist and have their full and entire effect, according to the tenor of the said acts, and of the sentences given; the whole in the same manner as if they had been done by the lawful Sovereign of the country, and under his government.

XXI. All that is contained in the preceding article, shall likewise be observed, ratified, and maintained on the part of his Imperial and Catholic Majesty with respect to the upper quarter of Guelderland, and to the countries conquered from France (of which King Charles the Second, of glorious memory, was not possessed at his decease) as to all the dispositions made in the name and on the part of the States General of the United Provinces.

And as for ecclesiastical benefices and dignities, those on whom they have been conferred, and who are possessed of them, shall not be dispossessed; and those who are not yet in possession, shall be admitted, without being opposed therein, unless by the methods, and in the course of justice, according to the laws and customs of the country.

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XXII. His

XXII. His Imperial and Catholic Majesty acknowledges and promises to satisfy the obligations which were entered into on the part of his Catholic Majesty Charles II. of glorious memory, for the loans of money which their High Mightinesses have caused to be negotiated for his said Majesty, the list of which is subjoined at the end of this article; and as the States General have not yet had delivered to them the obligations of the States of the Spanish Netherlands for the sum of two hundred thousand florins a year, to be furnished by them for paying the interest and reimbursing the principal of fourteen hundred thousand florins taken up at interest in the year one thousand six hundred ninety-eight, to be employed in the necessary service of the frontiers of the said Spanish Netherlands, and of four years interest, amounting to the sum of two hundred twenty-four thousand florins, with which the said principal of fourteen hundred thousand florins is increased, which obligations the said King Charles II. of glorious memory had promised to cause to be delivered, but it was not done; his Imperial and Catholic Majesty hereby promises to cause the obligations to be entered into by the States of the Provinces of the said Netherlands, and to be delivered immediately after to the said States General, conformably to the tenor of the said obligation of his Catholic Majesty of the thirtieth of May, one thousand six hundred ninety-eight, at the first meeting of the States, or at farthest within the term of two months after the exchange of the ratifications of this treaty.

*A Memorial of the Loans negotiated at the Request of his Catholic Majesty Charles II. of glorious Memory.*

THE first loan was of one million }  
 five hundred seventy-five thousand flo- }  
 rins, on the duties in and out collected } f. 1,575,000  
 at the Mary, at five per cent. by a deed }  
 bearing date the thirteenth of Decem- }  
 ber, one thousand six hundred and }  
 ninety. }

The

The second was of five hundred twenty-five thousand florins, at five per cent. on the same fund, by a deed executed the twenty-first of March, one thousand six hundred ninety-one. } f. 525,000

The third was of five hundred sixty-seven thousand florins, at five per cent. on the revenues of the upper quarter of Guelderland, by a deed of the fifteenth of January, one thousand six hundred ninety-two. } f. 567,000

The fourth and fifth loans, of five hundred thousand, and two hundred thousand florins, were made in pursuance of two deeds of the fourth and twenty-second of May, one thousand six hundred ninety-three, upon the duties in and out, collected at the Mary, at six per cent. } f. 700,000

The sixth was of six hundred sixty-five thousand florins, on the same fund, and at five per cent. borrowed by deed of the eleventh of April, one thousand six hundred ninety-five. } f. 665,000

The seventh was of a million four hundred and forty thousand florins, on the same fund, at five per cent. by deed of the twenty-fourth of November, one thousand six hundred ninety-five. } f. 1,440,000

The eighth, ninth, and tenth sums, of four hundred thousand, one hundred thousand, and three hundred thousand florins, were borrowed by deeds of the tenth of December, one thousand six hundred ninety-five, the twelfth of Sep- } f. 800,000



tember, one thousand six hundred ninety-six, and the sixth of March, one thousand six hundred ninety-seven, at five per cent. on the revenues collected at the Mary, and the demesnes of the province of Namur, and supplementally on the demesnes of the province of Luxembourg, amounting together to

f. 800,000

The eleventh sum, of five hundred thousand florins, was borrowed by deed of the thirtieth of April, one thousand six hundred ninety-six, at six per cent. on the revenues of the provostship of Mons.

f. 500,000

The twelfth sum, of one million four hundred thousand florins, at four per cent. was borrowed upon the subsidies of the provinces of the Netherlands, on the remittances from Spain, and supplementally on the revenues collected at the Mary. Item, Two hundred and twenty-four thousand florins, for four years interest of the principal, conformably to the tenor of the obligation of the thirtieth of May, one thousand six hundred ninety-eight; the total sum amounting thus to

f. 1,624,000

XXIII. In like manner his Imperial and Catholic Majesty acknowledges, approves, and confirms, all the contracts for money (the list of which is subjoined at the end of this article) which were necessarily made for the payment of several indispensable demands for the preservation of the Spanish Netherlands, and for maintaining the troops of his Imperial and Catholic Majesty, during the provisional government of Great Britain and the States General of the United Provinces,  
and

and done by their High Mightinesses in concert with his Majesty of Great Britain. His Imperial and Catholic Majesty promising to satisfy the same, and to cause the said contracts to be duly registered in the chambers of the Finances and of Accompts, and to cause a certificate thereof in form to be delivered to their High Mightinesses, and the principal and interest to be paid out of the funds and mortgages, both principal and additional, appropriated for that purpose: nor shall his Imperial and Catholic Majesty make, unless with the consent of the States General, any change in the direction or administration of the mortgages upon which the contracts were entered into, but will leave them to their High Mightinesses, conformably to the tenor of the obligations; and if those funds should not be sufficient, the deficiencies shall be made good by the States of the provinces of the said Austrian Netherlands.

*An Account of the Sums negotiated during the provisional Government of his Britannic Majesty, and of their High Mightinesses, in the Netherlands.*

IN one thousand seven hundred and seven were borrowed three hundred thousand florins, at five per cent. on the revenues of the post-office, to be sent to the King at Barcelona; also four hundred thousand florins, at five per cent. on the duties of importation and exportation in Flanders, for the necessary services in the Netherlands: the interest of the said four hundred thousand florins was assigned on the post-office. } f. 700,000

In the month of February, one thousand seven hundred and nine, were borrowed two hundred and fifty thousand florins, at five per cent. on the duties collected at the Mary, for maintaining the Imperial and Palatine troops. } f. 250,000

In the month of May, one thousand seven hundred and nine, was borrowed the sum of five hundred thousand florins, at five per cent. on the same conditions, on the same fund, and for the same use. } f. 500,000

In the month of August was farther borrowed a sum of ten hundred thousand florins, at five per cent. on the same terms, the same fund, and for the same use. } f. 1,000,000

In one thousand seven hundred and ten, was negotiated a sum of three hundred thousand florins, at six per cent. on the revenue of the post-office, for defraying the charge of the Imperial and Palatine troops in the service of his Imperial and Catholic Majesty. } f. 300,000

Item, on the duties in and out of Flanders, a sum of four hundred thousand florins, for supplying the expence of the Imperial troops, at six per cent. that is to say, five per cent. payable out of the duties in Flanders, and one per cent. out of the revenues at the Mary. } f. 400,000

Item, on the same fund, and at six per cent. namely, five per cent. on the duties in and out of Flanders, and one per cent. on the revenues at the Mary, the sum of three hundred thousand florins, for supporting the expence of the Imperial troops. } f. 300,000

Item, on the same fund, and at six per cent. viz. five per cent. on the duties in and out of Flanders, and one per cent. on the revenues at the Mary, the sum of three hundred and forty thousand six hundred and twenty-five florins, to supply the expence of the Imperial troops. } f. 340,625

Item,

Item, on the revenues of the Mary, at five per cent. the sum of three hundred thousand florins, for defraying the charge of the Imperial troops. } f. 300,000

In the month of March, one thousand seven hundred and eleven, was borrowed the sum of three hundred thousand florins, at six per cent. on the revenues of the post-office, for supplying the charge of the Imperial troops. } f. 300,000

In December, one thousand seven hundred and twelve, was negotiated on the revenues at the Mary, two hundred and twenty-eight thousand three hundred and thirty florins, at five per cent. for the necessary occasions, and for the fortifications of Mons, St. Ghilain, and Ath. } f. 228,330

All the said loans together making the sum of four millions six hundred and eighteen thousand nine hundred and fifty-five florins; the expenditure of which, as well as of the sum of five hundred and fifty thousand florins, which the receivers of the duties of importation and exportation in Flanders have paid in bills of exchange to the States General in the year one thousand seven hundred and ten, of an hundred thousand florins which they have received of the receiver of the Medianates, and of one hundred and five thousand florins (errors in the account excepted) which they have received of the third chamber of the council of Flanders, has been certified to the minister plenipotentiary of his Imperial and Catholic Majesty, in the manner the same is more particularly set forth by his declaration at the bottom of the account of the contracts and money lent, and of the expenditure of the said money, signed this day.

XXIV. An account shall be settled, as soon as the same can be done, of what has been paid of the interest.

terest and principal of the loans mentioned in the two preceding articles, in which account nothing shall be charged to their High Mightinesses, but what shall appear to have been actually and really paid, by virtue of the said obligations; nor, on the part of his Imperial and Catholic Majesty, shall any difficulty be raised against the payment of the said interest, or any pretence of abatement or diminution, on account of the non-possession of mortgages, confiscation in time of war, the sinking of the value of the said mortgages by reason of the diminution of the duties of importation and exportation, or any other cause or pretext whatever.

Nor while the said account is settling, shall payment be discontinued on the part of his Imperial and Catholic Majesty; but the interest and terms of reimbursement shall be continued, pursuant to the conditions expressed in the obligations, till it shall appear that all the loans and interest of them are entirely cleared and paid off, after which the mortgages shall be duly discharged and restored.

XXV. Moreover, by this present article are ratified and confirmed all the contracts for bread-waggons, and forage for the Imperial and Palatine troops, made by the ministers of the two Powers at Brussels, or by the council of state appointed for the government of the Netherlands, at the requisition of the said ministers; and in like manner are confirmed and ratified all payments already made on those contracts, by the council of the finances, and the orders delivered by the said council for assigning what remains due for the said bread, forage, and waggons, on the surplufage of the duties arising by the four species, pursuant to the requisitions of the council of state; nor shall the said surplufage of those duties be diverted to other uses, under any pretext whatever, before the undertakers who furnished the said bread, forage, and waggons, are entirely satisfied, according to the tenor of their contracts, pursuant to the requisitions of the ministers  
of

of the two Potentates, and to the orders of the council of state, and of that of the finances.

XXVI. As for what relates to commerce, it is agreed, that the ships, merchandizes, and goods, coming from Great Britain, and from the United Provinces, and entering into the Austrian Netherlands; as also the ships, merchandizes, and goods going out of the said Netherlands for Great Britain and the United Provinces, shall pay the duties of importation and exportation upon the same foot on which they are collected at this time, and no other; and particularly in such manner as they have been regulated before the signing of the present treaty, according to the requisition made to the council of state at Bruffels by the ministers of the two Potentates, dated the 6th of November; and so the whole shall remain, continue, and subsist in general on the said foot, without any alteration, innovation, diminution, or augmentation, under any pretext whatever, till his Imperial and Catholic Majesty, his Britannic Majesty, and the Lords the States General shall agree otherwise by a treaty of commerce to be made as soon as may be; commerce, and every thing depending thereon, between the subjects of his Imperial and Catholic Majesty in the Austrian Netherlands, and those of the United Provinces, remaining in whole, and in part, on the established foot, and in the manner specified by the articles of the treaty made at Munster the thirtieth of January, one thousand six hundred forty-eight, between his Majesty King Philip the Fourth, of glorious memory, and the said Lords the States General, concerning commerce, which articles are now confirmed by this present article.

XXVII. That the fortifications, and all the works of the citadel of Liege, as also those of the castle of Huy, with all the forts and works, shall be razed and demolished, and never be rebuilt, or made up again: but it is understood that the said demolition shall be  
made

made at the expence of the States of the country of Liege, to whom the materials shall be left, to be sold, and to be removed elsewhere. The whole to be done by the orders and under the direction of the States General, who for that purpose shall send persons qualified for the direction of the said demolitions; the working upon which shall be begun immediately after the signing of the present treaty, and shall be finished within three months, or sooner, if possible; and in the mean time the garrisons of the States General shall not march out of the said places before the demolition is finished.

XXVIII. And for the greater security and fuller execution of the present treaty, his Britannic Majesty promises and engages to confirm it, and to guaranty it in all the points and articles thereof, as by this article he does confirm and guaranty the same.

XXIX. The present treaty shall be ratified and approved by his Imperial and Catholic Majesty, by his Britannic Majesty, and by the Lords the States General of the United Provinces, and the letters of ratification shall be delivered within the term of six weeks, or sooner, if possible, to be reckoned from the day of signing.

In witness whereof, we the Ministers Plenipotentiaries of his Imperial and Catholic Majesty, of his Britannic Majesty, and of the Lords the States General, by virtue of our respective powers, have in their said names signed these presents in our usual manner, and caused the seals of our arms to be put thereto. Done at Antwerp, this fifteenth of November, one thousand seven hundred and fifteen.

(L. S.) *J. L. C. de Kinigsegg.* (L. S.) *W<sup>m</sup> Cadogan.*  
 (L. S.) *B. V. Duffen.* (L. S.) *Le Comte de Rechteren.*  
 (L. S.) *S. L. Gockinga.*  
 (L. S.) *Adr. Van Borsssele.*  
*Geldermalsen.*

*Form*

*Form of the Oath for the Governor of Dendermonde.*

I N. N. appointed governor by his Imperial and Catholic Majesty at Dendermonde, promise and swear, that I will never do any thing, nor suffer any thing to be done in the said town, that may be prejudicial to the service of their High Mightinesses the States General of the United Provinces, with respect to the preservation of the town and of the garrison; and that I will give free passage to their troops whenever and as often as they shall desire it, provided requisition be previously made, and that the said troops do not pass but in a moderate number at a time; the whole conformably to the fifth article of the treaty of barrier, a copy of which has been communicated to me. So help me God.

*Form of the Oath for the Governor of Places.*

N. N. I swear and promise to keep faithfully, in the sovereignty and propriety of his Imperial and Catholic Majesty which is intrusted to me, and never to deliver it up to any other Power; and that I will not meddle directly or indirectly, nor suffer any one whatever under my government, to meddle in any affair concerning the civil government, religion, and matters ecclesiastical, justice, and finances, nor in any thing whatsoever against the rights, privileges, and immunities of the inhabitants, as well clergy as laity, or in any other affair that has not immediate relation to the preservation of the place which is intrusted to me; and to the maintaining of the garrison committed to my care; but that I will leave all those things to his Imperial and Catholic Majesty, as the lawful Sovereign, and to the states and magistrates, as well ecclesiastical as civil, so far as it belongs to either of them; promising, on the contrary, to assist them by force and arms, whenever and as often as I shall be required so to do, for maintaining the civil order, and for the preservation of tranquillity against all who would



would make opposition thereto; but I am also to be allowed to execute the orders which the States General shall give me, consonant to, and in execution of, the treaty between his Imperial and Catholic Majesty and their High Mightinesses. So help me God.

*Here follows the Tenor of the Full Power of the Minister Plenipotentiary of his Imperial and Catholic Majesty.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, and Bohemia, &c. Archduke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, and Wirtemberg, Count of Flanders, Habsburg, Tyrol, and Goritia, &c. &c. The negotiation of peace which in the month of March last was begun at Raftad, between us and the most Serene and Potent Prince and Lord Lewis XIV. the most Christian King of France, being now, by the blessing of God, in a fair way to a conclusion, and that affair being now in such forwardness, that the treaty for the security of the States General of the United Netherlands, called the Limitary or Barrier Treaty, may forthwith be set about, and amicably transacted on both sides; we therefore, relying on the fidelity, prudence, and experience of our and the Holy Roman Empire's beloved and faithful, the Illustrious and Noble Joseph Lothair Count Konigsegg, our Chamberlain, Counsellor of War, and Lieutenant Field Marshal General, have by these presents authorized him with full power for this purpose, giving him all manner of licence, in our name to confer, treat, and transact with the Deputies of the foresaid States General, authorized with like orders, in such place as shall be mutually chosen for this treaty, of and upon the said limits; promising, on our Imperial and Royal word, to confirm, ratify, and approve all and singular the things he shall so treat, conclude, and transact, in the same manner as if we ourselves being  

I  
present

present had come and transacted them. In witness whereof we have signed these presents with our own hand, and commanded our Imperial Royal seal to be put thereto. Given in our city of Vienna, the 6th day of August, in the year one thousand seven hundred and fourteen, and in the third year of our Roman, the eleventh of our Spanish, and the fourth of our Hungarian and Bohemian reign.

(Signed) CHARLES.

And underneath, *Joan. Frid. C. à Seilern.*  
*Philip Lud. C. à Sinzendorff.*

By his Sacred Imperial Majesty's express command,  
Signed, *Joannes Georgius Buol.*

*Here follows the Tenor of the Full Power of the Minister Plenipotentiary of his Britannic Majesty.*

GEORGE, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. To all and singular to whom these present letters shall come, greeting. Whereas by the treaty between our late dearest sister and cousin Anne, Queen of Great Britain, France, and Ireland, and the High and Mighty Lords the States General of the United Provinces of the Netherlands, made at Utrecht on the <sup>Nineteenth</sup><sub>Thirtieth</sub> day of the month of January, in the year one thousand seven hundred and <sup>Twelve</sup><sub>Thirteen</sub>, it was concluded and agreed, that the boundary commonly called the Barrier of the said Lords the States General in the Spanish Netherlands should be established, and rules of commerce in the said provinces settled, when his Imperial and Catholic Majesty should enter into the possession of them; we have judged it for the interest of us and of our kingdoms, and very much for the advantage of our common friends, to nominate some fit person, every way qualified for such a negotiation, to repair on our part to the congress which is to be held at Antwerp, and there carefully to see to

to the establishing of the said barrier and of commerce. Know ye, therefore, that we intirely relying on the fidelity, prudence, and experience in negotiations, of our trusty and well-beloved William Cadogan, Esq; our Envoy Extraordinary to the High and Mighty States General of the United Provinces of the Netherlands, a Member of our Parliament of Great Britain, Master of our Robes, Lieutenant General of our forces, and Colonel of our second regiment of guards, have named, constituted, made, and ordained, as by these presents, signed with our Royal hand, we do nominate, constitute, make, and ordain him to be our true, certain, and undoubted Commissioner, Procurator, and Plenipotentiary, giving and granting to him all and all manner of licence, power, and authority, together with general as well as special order, for us and in our name to meet, treat, confer, renew and conclude, with the Ministers of his Imperial and Catholic Majesty, and of the Lords the States General of the United Netherlands, and with the Ministers of any other Princes and States whatsoever, authorized with like sufficient power, at Antwerp, or in any other place, upon such alliances, conventions, and articles, whether secret or separate, and all other things which may most conduce to the obtaining happily the foresaid end, and in our name to sign and mutually deliver and receive whatever shall be by him so renewed, concluded, and agreed, and to do and perform all things else whatsoever which are necessary to be done, in as ample manner and form as we ourself, were we present thereat, could do and perform; engaging and promising, on our Royal word, to ratify, approve, and accept in the best manner, what shall be renewed and concluded by our said Commissioner, Procurator, and Plenipotentiary, and never to suffer the same to be violated or infringed in whole or in part by any person whatsoever. In witness and confirmation whereof we have caused our great seal of Great Britain to be affixed to these presents, signed with our  
Royal

Royal hand. Given at our palace at St. James's, the eleventh day of October, in the year of our Lord one thousand seven hundred and fourteen, and of our reign the first.

(Signed)

GEORGE R.

*Here follows the Tenor of the Powers of the Ministers Plenipotentiaries of the Lords the States General.*

THE States General of the United Provinces of the Netherlands, to all and singular whom it does or in any manner may concern, greeting. Whereas in the present state of affairs, nothing is more desired by us, than that a speedy agreement be made between his Sacred Imperial Majesty and us, upon every thing necessary for establishing the boundary commonly called the Barrier, in the provinces of the Spanish Netherlands, for our security; we therefore relying on the prudence, experience, and fidelity of M. Bruno Vander Duffen, formerly Burgomaster, now Senator, Counsellor, and Syndic of the town of Gouda, Assessor of the Council which has the administration of the territory of Schiland, and Dykegrave of the district of Crimp; Adolphus Henry Count Rechteren, Lord of Almeloe, chief Burgomaster of Zalland in Overyffel; Seato van Gockinga, Senator of the town of Groninguen; and Adrian van Borsselen, Lord of Gueldermalsen, Senator of the town of Flushing; the three former being Deputies in our Assembly from the provinces of Holland and Westfriseland, Overyffel and Groninguen, and the Ommelands, the fourth a Deputy from Zealand in the Council of State; have nominated, elected, and constituted, as we do hereby nominate, elect, and constitute them to be our true and undoubted Plenipotentiaries, for conferring, treating, and concluding, with him or them who on the part of his Sacred Imperial Majesty shall be appointed with like power, whatever they shall judge necessary and useful on both sides for establishing the said Barrier, with all things belonging thereto; giving and

granting for this purpose to all our said Plenipotentiaries jointly, or to some, and even to any one of them separately, the rest being absent or otherwise hindered, full and all manner of power, together with general as well as special order, to transact, conclude, frame, sign, and subscribe the necessary instruments in this affair, and finally to do every thing which we ourselves, were we present, might have power to do, even though a more special order might seem requisite: promising *bonâ fide* to accept, ratify, and approve whatever all our above-named Plenipotentiaries jointly, or some, or even one of them separately, the rest being absent, or otherwise hindered, shall by virtue of these presents transact and conclude, and to make out and deliver in due form the instruments of ratification thereupon. In witness whereof we have caused these presents to be sealed with our great seal, and to be signed by the President of our Assembly, and countersigned by our Greffier. Hague, the twenty-eighth day of September, in the year one thousand seven hundred and fourteen.

(Signed)

*A. Velters.*

By command of the forementioned States General,

(Countersigned)

*F. Fagel.*

WE having seen and considered the treaty above-written, have approved, ratified, and confirmed, as by these presents, for us, our heirs and successors, we do approve, ratify, and confirm the same, in all and every the articles and clauses thereof; engaging and promising on our Royal word, sacredly and inviolably to perform and observe the foresaid treaty, and all and singular the contents thereof, and never to suffer (as far as in us lies) any one to violate, or in any wise to act contrary to the same. In witness and confirmation whereof we have commanded our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace at St. James's, the

the thirteenth day of the month of November, in the year of our Lord 1715, and of our reign the second.

GEORGE R.

GEORGE, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. To all and singular to whom these present letters shall come, greeting. Whereas a certain separate article, belonging to the treaty for establishing the boundary, commonly called the Barrier, concluded at Antwerp on the fifteenth day of this present month of November, was at the same place and on the same day signed by the same Ministers Plenipotentiaries empowered respectively with sufficient authority, in the form and words following.

*Separate Article.*

WHEREAS in the nineteenth article of Barrier for the States General of the United Provinces in the Austrian Netherlands, concluded this day, the fifteenth of November, one thousand seven hundred and fifteen, between his Imperial and Catholic Majesty, his Britannic Majesty, and the said Lords the States General, it is agreed to explain more particularly, by a separate article, what relates to the mortgages, and the methods of receiving the subsidy therein mentioned; his Imperial and Catholic Majesty, for the better securing and facilitating the payment of the said subsidy of five hundred thousand crowns, or twelve hundred and fifty thousand florins, Dutch money, yearly, agreed to and stipulated by the said article, does charge specially on the countries, towns, castellanies, and dependencies, yielded by France, the annual sum of six hundred and ten thousand florins, Dutch money, according to the following repartition; that is to say, on the town of Tournay fifty-five thousand florins, on the castellany of Tournay, called the Tournesis, twenty-five thousand florins, on the town and verge of Menin ninety thousand florins; and on the part of West

Flanders, which was yielded by France, to be paid by a repartition among the towns, castellanies, and dependencies, according to the transport de Flandres, four hundred and forty thousand florins; and for the rest, on the subsidies of the province of Brabant one third, being the sum of two hundred and thirteen thousand three hundred and thirty-three florins, and one-third of a florin; and on those of the province of Flanders two-thirds, being the sum of four hundred twenty-six thousand six hundred sixty-six florins, and two-thirds of a florin, the said respective sums amounting together to the total sum five hundred thousand crowns, or twelve hundred and fifty thousand florins, Dutch money.

The share of the province of Brabant is charged on the contingent of the country of Waas, including Beveren, of the country of Oudenbourg, of the liberties of Bruges, of the country of Alost, and of the town and country of Dendermonde, towards the subsidies of that province.

And for the better securing the regular payment of the said respective sums, his Imperial and Catholic Majesty promises and engages, that the payment shall be made every three months, to commence from the day of the signing this present treaty, to be paid on the day the same shall become due.

And in default of the said payment at the said end of three months, his Imperial and Catholic Majesty does now, and by this treaty order the States of the provinces and divisions, and the receivers of the subsidies, as well ordinary as extraordinary, and also those of his duties and demesnes, out of which the payment ought to be made conformably to the repartition above, that by virtue of this article, and at sight of a copy thereof, they take care to pay immediately at the end of each term, and without delay, to the receiver general of the said States General, or to his order, the sums above specified, and without waiting for any other order or assignment; this present article being  
to

to stand for an order and assignment, now and for the time coming. And the said payment shall be allowed them on account, on the part of his Imperial and Catholic Majesty, as if it had been made to himself.

In default of which, or in case the said States do not grant the subsidies with requisite expedition, the States General shall and may proceed to methods of compulsion and execution, and even by force of arms, against the receivers, states, and demesnes of the said provinces and divisions, which his Imperial and Catholic Majesty subjects thereto by virtue of this article; the whole without prejudice to the right of their High Mightinesses upon the other revenues of the sovereign over and above the subsidy of the provinces, such as the duties of importation and exportation, the imposts, the tailles, tolls, and other demesnes.

Moreover it is agreed, that the payment of the said subsidy shall not be delayed, much less refused, under pretext of compensation, clearing of accounts, or other pretensions, of what name or nature soever they may be.

And this separate article shall have the same force as the said treaty of Barrier, and just as if it were inserted therein word for word, and shall be ratified at the same time as that treaty.

In witness whereof we the Ministers Plenipotentiaries of his Imperial and Catholic Majesty, of his Britannic Majesty, and of the Lords the States General, have signed this present article, and caused the seals of our arms to be put thereto. At Antwerp, this fifteenth of November, one thousand seven hundred and fifteen.

(L. S.) J. L. C. de Kinigsegg. (L. S.) W<sup>m</sup> Cadogan.  
 (L. S.) B. V. Duffen. (L. S.) Le Comte de Rechteren.  
 (L. S.) S. L. Gockinga.  
 (L. S.) Adr. Van Borsssele  
 Geldermalsen.



WE having seen and considered the separate article above-written, have approved, ratified, and confirmed, as by these presents we do, for us, our heirs and successors, approve, ratify, and confirm it in all and singular the clauses thereof; engaging and promising on our Royal word sincerely and faithfully to observe and (as far as in us lies) to cause to be observed all and every the things contained in the foresaid separate article. In witness and confirmation whereof we have commanded our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace at St. James's, the thirtieth day of the month of November, in the year of our Lord one thousand seven hundred and fifteen, and of our reign the second. GEORGE R.

*Convention made at London the 26th of July,  
O. S. 1715.*

HIS Britannic Majesty's Ministers having complained that the commerce of his said Britannic Majesty with the Austrian Netherlands is very much prejudiced by the high duties of importation laid upon the coarse woollen cloths sent from Great Britain to the said Austrian Netherlands; the under-written Minister and Plenipotentiary of his Imperial and Catholic Majesty for the treaty of Barrier at Antwerp, declares by these presents, that his Imperial and Catholic Majesty will consent to the immediate reducing of the duties on the said coarse woollen cloths, according to the following specification: and that in all other respects the commerce of the subjects of his Britannic Majesty, with the Austrian Netherlands, shall remain, continue, and subsist wholly on the same foot as it does at present, without any alteration, innovation, diminution, or augmentation to be made under any pretext whatsoever, till all the parties interested shall agree upon a treaty of commerce.

*Dyed*

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<i>Dyed Woollen Cloths.</i>		Fl. Sols.
A piece of the value of above 60 florins,	}	3 10
up to 90 — —		
A piece of the value of above 40 florins,	}	2 —
up to 60 — —		
A piece of the value of 40 florins, and	}	1 —
under — —		

<i>Mixed Woollen Cloths.</i>		
A piece of the value of above 60 florins,	}	2 10
up to 90 — —		
A piece of the value of above 40 florins,	}	1 10
up to 60 — —		
A piece of the value of 40 florins, and	}	1 —
under — —		

<i>White Woollen Cloths.</i>		
A piece of the value of above 60 florins,	}	2 10
up to 90 — —		
A piece of the value of above 40 florins,	}	2 —
up to 60 — —		
A piece of the value of 40 florins, and	}	1 —
under — —		
Draps de Pie (cloth to lie upon floors) of	}	— 8
all sorts, the piece — —		

Done at London this 26th of July, O. S. 1715.

(L. S.) *J. L. de Kinigsegg.*

*Requisition made to the Council of State at Brussels, the 6th of November, 1715.*

IT being absolutely necessary, for the service of his Imperial and Catholic Majesty, to lessen immediately the duties of importation on coarse woollen cloths coming from Great Britain, and from the United Provinces, on the following foot.

<i>Woollen Cloths Dyed.</i>		
A piece of the value of above 60 florins,	}	3 10
up to 90 florins — —		
From 40 to 60 — —	}	2 —
Of 40 and under — —		
	R 4	<i>Mixt.</i>

	<i>Mixt.</i>	Fl. Sols.
A piece of the value of 60 florins, and so } up to 90 — — —		2 10
From 40 to 60 — — —		1 10
Of 40 and under — — —		1 —

	<i>White.</i>	
A piece of the value of 60 florins, and so } up to 90 — — —		2 10
From 40 to 60 — — —		2 —
Of 40 and under — — —		1 —
Drap de Pie (cloth to lie upon floors) of } all forts, the piece — — —		— 8

And to reduce the duties of importation on brandies distilled from corn coming from Great Britain, and from the United Provinces, to 3 florins the awm instead of 8 which is now paid. You are required, Gentlemen, to give forthwith the necessary directions in the finances, that the proper orders may be immediately issued for this purpose; and that the collectors of the duties of importation and exportation may conform themselves accordingly thereto. Done at the conference at Brussels, this 6th of November, 1715.

(Signed)

*W<sup>m</sup> Cadogan,  
Joban Vander Bergh.*

Attested to be a copy,

*P. W. Francquen.*

*A Copy of the Resolution of the Council of State, minuted in the Margin of the Consultation of the Council of the Finances, the 7th of November, 1715.*

HAVING made our representation to the Ministers of the conference, conformably to this consultation, and added also other reasons to enforce it, they have newly made this day another more pressing requisition to us, by which they insist absolutely that the former be put in execution; whereupon the council of the finances shall issue the orders therein specified; but

but it is understood that they shall not have force nor effect, unless they be approved and ratified by his Imperial and Catholic Majesty in the treaty of Barrier: This last clause, however, which begins with the words *it is understood*, and ends with the words *in the treaty of Barrier*, shall not be inserted in the orders to be sent to the collectors.

(Signed)

*Voorfp.*

Attested to be a copy,

*P. W. Francquen.*

*Order of the Council of Finances to the Collectors of the Duties.*

THE Counsellors and Commissioners of the demesnes and finances of his Imperial and Catholic Majesty. Most dear and special friends, we herewith send you, by express order of the Council of State appointed for the general government of these countries, a copy of the requisition made to them by the Ministers of the conference, relating to the lessening of the duties of importation on the coarse woollen cloths coming from Great Britain, and from the United Provinces; as also for reducing the said duties on brandies distilled from corn, commanding you, by express order of the said Council of State, to take care to regulate yourselves pursuant thereto, to collecting the said duties, and to give notice of it to your subalterns. Most dear and special friends, God have you in his holy keeping. Bruffels, at the council of the said finances, the 12th of November, 1715.

To the collectors of the duties of importation and exportation at

Newport.	Fort St. Philip.
Ostend.	Borgerhout.
Bruges.	Mechlen.
Ghent.	Turnhout
Dendermonde.	Tirlemont.

This is a copy agreeing with the minutes kept in the registry of the finances.

*P. W. Francquen.*

*Extract*

*Extract from the Tariff settled the 14th of November,  
1715.*

N. B. A difficulty having risen about the intention of the requisition of the 6th of November, 1715, of which mention is made in the 26th article of the treaty of Barrier, it is agreed provisionally to cause the duties of importation on all the different sorts comprehended in the above tariff under the denomination of woollen cloths, to be collected according to the tenor of the said requisition of the 6th of November, till his Imperial and Catholic Majesty, and his Majesty the King of Great Britain, shall agree upon it otherwise; and in the mean while the King's collectors and officers shall permit the said manufactures to be imported, giving notice and taking security for the payment of the overplus duties of importation on the foot the same shall be settled.

*A Letter from the Imperial Envoy Count Volkra, to  
the Lord Viscount Townshend, principal Secretary  
of State.*

My Lord,

YOU have acquainted me that complaints are made here of contraventions to the twenty-sixth article of the treaty of Barrier, and I have had the honour to communicate to you what Count Kinigsegg has answered thereupon.

I can declare to you besides, that for the future there will be an exact performance of the said twenty-sixth article of the treaty of Barrier of the 15th of November, 1715, and of the convention at London of the 26th of July, 1715; as also of the declaration in the tariff of the 14th of November, 1715, that is to say, that the duties on the petite draperie (or woollen stuffs) of England will be collected on the foot of the coarse woollen cloths, according to the diminution expressed in the foresaid convention at London, without any alteration, till it be agreed otherwise between the Emperor

peror and the King, our masters; but in the mean time the merchants are to give security to pay the surplus, if the matter shall be so determined between the two respective courts.

London, 2<sup>o</sup> August,  
1716.

I am, &c.

*The Count Volkra.*

*The Emperor's Ratification.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, Bohemia, Dalmatia, Croatia, and Sclavonia, Archduke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Limbourg, Luxembourg, Guelderland, Upper and Lower Silesia, and Wirtemberg, Prince of Swabia, Marquis of the Holy Roman Empire, of Burgaw, Moravia, Upper and Lower Lusatia, Count of Hapsburg, Flanders, Tyrol, Ferrete, Kyburg, Goritia, and Namur, Landgrave of Alsatia, Lord of the Marck of Sclavonia, Port Nao, and Salins, &c. &c. make known and attest to all and singular whom it concerns. Whereas peace being made with France last year at Baden in Switzerland, it was forthwith agreed between Us, the most Serene and most Potent King of Great Britain, and the States General of the United Netherlands, that what by the alliance made in the year one thousand seven hundred and one, on the seventh day of September, at the Hague, appeared yet remaining mutually to be performed, should without delay be adjusted in the Congress which was thought proper to be held at Antwerp by ministers respectively authorized with full power; and especially that those places, towns, and fortifications of our Netherlands, which for the future might serve for the security, defence, and safety, commonly called a Barrier, to the provinces and dominions of the foresaid States General, might be specified, and whatever else relates to that affair be settled; which by the favour of the Almighty,

and in especial manner by the friendly offices of the said most Serene King of Great Britain, was on the fifteenth day of November last determined and concluded by those Ministers Plenipotentiaries, whose names are hereunto subjoined, in the following words and articles:

*It having pleased the Almighty to grant Peace for some Time past to Europe, &c.*

That we have ratified and approved, as by virtue of these presents we do approve and ratify all and singular the things that by Ours, his Britannic Majesty's, and the States General's Ministers Plenipotentiaries, by virtue of an order empowering them, were, as is above recited, done, concluded, and transacted; promising on our Imperial, Royal, and Archiducal word, faithfully and religiously to perform and observe, and cause to be observed by our subjects, what relates to us, and not to suffer any thing to be done contrary thereto; assuredly trusting, that the Electors, Princes, and States of the Holy Roman Empire, duly considering the circumstances of affairs which in the present juncture obliged us to yield what by the twenty-seventh article above is stipulated, touching the razing of the fortifications and citadel of Liege, and of the castles and works of the town of Huy, will not scruple to concur therein with their consent. In witness whereof, we have signed these presents with our own hand, and caused our Imperial Royal seal to be put to it. Vienna, the twenty-first day of the month of December, in the year one thousand seven hundred and fifteen, the fifth of our Roman, the thirteenth of our Spanish, and the fifth of our Hungarian and Bohemian reign.

CHARLES (L. S.)

*Philip Lud. C. à Sinzendorff.*

By the express command of his Sacred Imperial and Catholic Majesty.

*John George Buel.*

*The*

*The Emperor's Ratification of the separate Article.*

WE Charles the Sixth, by the Divine clemency, elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, Bohemia, Dalmatia, Croatia, and Sclavonia, Archduke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Limbourg, Luxembourg, Guelderland, Upper and Lower Silesia, and Wirtemberg, Prince of Swabia, Marquis of the Holy Roman Empire, of Burgaw, Moravia, Upper and Lower Lusatia, Count of Hapsburg, Flanders, Tyrol, Ferrete, Kyburg, Goritia, and Namur, Landgrave of Alfatia, Lord of the Marck of Sclavonia, Port Nao, and Salins, &c. &c. make known and attest to all and singular whom it concerns. Whereas for very weighty reasons it has been thought fit, by a separate article, to explain more particularly what by the nineteenth article of this treaty is stipulated in general words, touching the annual subsidy of five hundred thousand crowns to be allowed for the garrisons of the States General, and to assign the said subsidy by repartition on the several provinces of our Netherlands, and to secure the payment of the same in the following manner.

*Separate Article.*

*Whereas in the Nineteenth Article of Barrier for the States General of the United Provinces in the Austrian Netherlands, concluded this Day, the Fifteenth of November, One thousand Seven hundred and Fifteen, &c.*

That we have approved this separate article, and the contents thereof, in the like manner as the treaty itself, and by these presents we promise to observe it as faithfully and religiously, and to cause it to be observed by our subjects. In witness whereof we have signed these presents, and commanded our Imperial Royal seal to be set thereto. Given at Vienna, the 21st of the month of December, in the year one thousand



thousand seven hundred and fifteen, the fifth of our Roman, the thirteenth of our Spanish, and the fifth of our Hungarian and Bohemian reign.

CHARLES (L. S.)

*Philip Lud. à Sinzendorff.*

By express command of his Sacred Imperial and Catholic Majesty, *John George Buol.*

*The Ratification of the States General.*

THE States General of the United Provinces of the Netherlands, to all who shall see these presents, greeting. Having seen and examined the treaty concluded and signed at Antwerp the fifteenth of the month of November, one thousand seven hundred and fifteen, by the Ministers Plenipotentiaries of his Imperial and Catholic Majesty, of his Majesty the King of Great Britain, and Ours, touching the manner in which the Austrian Netherlands are to serve henceforward for the barrier of Great Britain and of our State, as the said treaty here follows, inserted word for word.

*It having pleased the Almighty to grant Peace for some Time past to Europe, &c.*

We approving all that our Deputies and Ministers Plenipotentiaries have done, in concluding and signing this treaty, have consented to, approved, and ratified, consent to, approve, and ratify the same by these presents: promising sincerely and faithfully to keep, observe, and execute it in the whole, and in each of its articles, without acting contrary to it in any manner whatsoever, directly or indirectly. In witness whereof, we have caused our great seal to be affixed to these presents, and the same to be signed by the President of our Assembly, and countersigned by our Greffier. At the Hague, the fourteenth of January, one thousand seven hundred and sixteen. *W. Vander Does.*

By command of the above-mentioned Lords the States General, *F. Fagel.*

*The*

*The States General's Ratification of the separate Article.*

THE States General of the United Provinces of the Netherlands, to all who shall see these presents, greeting. Having seen and examined the separate article of the treaty concluded and signed at Antwerp the fifteenth of the month of November, one thousand seven hundred and fifteen, by the Ministers Plenipotentiaries of his Imperial and Catholic Majesty, of his Majesty the King of Great Britain, and Ours, touching the manner in which the Austrian Netherlands are to serve henceforward for the barrier of Great Britain, and of our State, the tenor of which separate article is as follows.

*Separate Article.*

*Whereas in the Nineteenth Article of Barrier for the States General of the United Provinces in the Austrian Netherlands, concluded this Day, the Fifteenth of November, One thousand Seven hundred and Fifteen, &c.*

We approving all that our Deputies and Ministers Plenipotentiaries have done, in concluding and signing this separate article, have consented to, approved, and ratified, consent to, approve, and ratify the same by these presents, promising sincerely and faithfully to keep, observe, and execute it, without acting contrary to it in any manner whatsoever, directly or indirectly. In witness whereof, we have caused our great seal to be affixed to these presents, and the same to be signed by the President of our Assembly, and countersigned by our Greffier. At the Hague, the fourteenth of January, one thousand seven hundred and sixteen.

*W. Vander Does.*

By command of the above-mentioned Lords the  
States General, *F. Fagel.*

[The following is printed from the original.]

*Count Volkra's Declaration, 1716, about the Trade in the Aufrian Netherlands.*

Milord,

VOUS m'avez témoigné qu'on se plaint ici des contraventions à l'article 26. du Traité de la Barrière; et j'ai eu l'honneur de vous communiquer ce que Monsieur le Comte de Kinigsegg a répondu là-dessus.

Je puis vous déclarer outre cela, qu'on se tiendra à l'avenir exactement à l'observation du susdit article 26. du Traité de la Barrière, du 15 Novembre, 1715, et à la convention de Londres, du 26 Juillet, 1715, comme encore à la déclaration du 14 Novembre, 1715; à savoir, qu'on louera les droits sur la petite draperie d'Angleterre, sur le pied des gros draps, suivant la diminution exprimée dans la susdite convention de Londres, sans aucune altération, jusques à ce qu'on en fera convenu autrement entre l'Empereur et le Roi nos maîtres; mais que pourtant les marchands donneront caution de payer le surplus, si l'affaire fera ainsi déterminée entre les deux respectives Cours.

J'espère, Milord, que vous ferez avancer, sans plus de délai, l'emprunt de 200 piéces, selon la convention faite là-dessus, en vous assurant que

Je suis, avec une très-parfaite estime,

Milord,

Votre très-humble et  
très-obéissant serviteur,

Londres, ce  $\frac{20}{11}$  Aout,  
1716.

*Le Comte Volkra.*

[The

[The following is printed from the copy which was published by authority in 1718.]

*The Treaty of Alliance for settling the Public Peace,*  
*signed at London, <sup>22 July</sup><sub>2 August</sub>, 1718.*

GEORGE, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular, to whom these presents shall come, greeting. Whereas a certain treaty, containing as well the conditions of peace to be made between the Emperor of the Romans and the King of Spain, and between the said Emperor and the King of Sicily, as the terms of a mutual alliance made between us and our good brother the said Emperor of the Romans, and our good brother the most Christian King, and our good friends the High and Mighty Lords the States General of the United Provinces of the Netherlands, by Plenipotentiaries on both sides sufficiently furnished with orders and authority for the same, in our city of London, the twenty-second day of July last past, O. S. has been concluded and signed in the form and words following :

In the Name of the most Holy and undivided Trinity.

Be it known to all whom it doth concern, or may any way concern.

Whereas the most Serene and most Potent Prince, George, of Great Britain, France, and Ireland, King, Duke of Brunswick and Lunenburgh, Elector of the Holy Roman Empire, &c. and the most Serene and most Potent Prince, Lewis the Fifteenth, the most Christian King, &c. as likewise the High and Mighty States General of the United Provinces of the Netherlands, being continually intent on preserving the blessing of peace, have duly considered, that however, by the triple alliance concluded by them on the 4th of January, 1717, their own kingdoms and provinces

were provided for, yet that the provision was neither so general nor so solid, as that the public tranquillity could long flourish and last, unless at the same time the jealousies which were still increasing between some of the Princes of Europe, as perpetual occasions of variance, could be removed: and being convinced by experience from the war kindled the last year in Italy, for the timely extinguishing whereof, by a treaty made in the year 1718, they agreed amongst themselves upon certain articles of pacification, according to which a peace might be brought about and established between his Sacred Imperial Majesty and the King of Spain; as likewise between his said Imperial Majesty and the King of Sicily; and farther gave a friendly invitation to his Imperial Majesty, that, out of his love for the public peace and quiet, he would receive and approve the said articles of convention in his own name, and accordingly that he himself would accede to the treaty made by them, the tenor of which is as followeth.

*Conditions of Peace between his Imperial Majesty and his Royal Catholic Majesty.*

I. For quieting the disturbances lately raised contrary to the peace of Baden, concluded the 7th of September, 1714, as likewise to the neutrality established for Italy by the treaty of the 14th of March, 1713, the most Serene and most Potent King of Spain obliges himself to restore to his Imperial Majesty, and accordingly shall immediately, or at the farthest after two months, to be reckoned from the exchange of the ratifications of this present treaty, actually restore to his said Imperial Majesty the island and kingdom of Sardinia, in the condition wherein he seized it, and shall renounce, in favour of his Imperial Majesty, all rights, pretensions, interests, and claims upon the said kingdom; so that his Imperial Majesty fully and freely, and in the manner which he judges best, out of his love to the public good, may dispose of it as of his own property.

II. Whereas

II. Whereas the only method which could be found out for fixing a durable balance in Europe was judged to be this, that it should be an established rule that the kingdoms of France and Spain should never go together, or be united in one and the same person, or in one and the same line, and that those two monarchies should henceforward for ever remain separate; and whereas for confirming this rule, so necessary for the public tranquillity, those Princes, to whom the prerogative of birth might have given a right of succeeding in both kingdoms, have solemnly renounced one of those two kingdoms for themselves and all their posterity; so that this separation of the two monarchies has passed into a fundamental law in the general assembly commonly called Las Cortes, which was received at Madrid the 9th of November, 1712, and consolidated by the treaties of Utrecht, the 11th of April, 1713; his Imperial Majesty, being willing to give the utmost perfection to so necessary and wholesome a law, to take away all ground of suspicion, and to promote the public tranquillity, doth accept and agree to those things which were done, ratified, and established in the treaty of Utrecht, with regard to the right and order of succession to the kingdoms of France and Spain, and doth renounce, as well for himself, as for his heirs, descendants, and successors, male and female, all rights, and all and every pretension whatsoever, not one in the least excepted, on any kingdoms whatsoever, dominions, and provinces of the Spanish monarchy, whereof the Catholic King was acknowledged to be the rightful possessor by the treaty of Utrecht, and will cause to be made out in due form accordingly solemn acts of renunciation, which he will cause to be published and registered in the proper courts, and promises that he will exhibit the usual instruments thereupon to his Catholic Majesty, and to the contracting Powers.

III. By virtue of the said renunciation, which his Imperial Majesty has made out of regard to the security

rity of all Europe; and in consideration likewise that the Duke of Orleans has for himself, and for his descendants, renounced all his rights and claims upon the kingdom of Spain, on condition that neither the Emperor, nor any of his descendants, shall ever succeed to the said kingdom; his Imperial Majesty doth acknowledge Philip the Fifth to be lawful King of Spain and of the Indies, and doth promise to give him the titles and prerogatives belonging to his dignity and his kingdoms: and moreover, he will allow him, his descendants, heirs, and successors, male and female, peaceably to enjoy all those dominions of the Spanish monarchy in Europe, the Indies, and elsewhere, the possession whereof was allowed to him by the treaties of Utrecht, nor will he directly or indirectly disturb him in the said possession at any time, nor will he claim to himself any right to the said kingdoms and provinces.

IV. In return for the renunciation and acknowledgment made by his Imperial Majesty in the two foregoing articles, the Catholic King, as well in his own, as in the name of his heirs, descendants, and successors, male and female, doth renounce in favour of his Imperial Majesty, his successors, heirs, and descendants, male and female, all rights and claims whatsoever, none in the least being excepted, upon all and every the kingdoms, provinces, and dominions, which his Imperial Majesty doth possess in Italy or the Netherlands, or may accrue to him by virtue of this present treaty; and he doth wholly abdicate all rights, kingdoms, and provinces in Italy, which heretofore belonged to the Spanish monarchy, amongst which the marquisate of Final, yielded by his Imperial Majesty to the republic of Genoa in the year 1713, is understood to be expressly comprehended, and he will cause to be made out accordingly solemn acts of renunciation in due form, which he will cause to be published and registered in the proper courts, and promises that he will exhibit the usual instruments thereupon to his Imperial Majesty and the contracting Powers. His Catholic

tholic Majesty doth in like manner renounce the right of reversion of the kingdom of Sicily to the crown of Spain, which he had reserved to himself, and all other claims and pretensions under pretext whereof he might disturb his Imperial Majesty, his heirs and successors, directly or indirectly, as well in the aforesaid kingdoms and provinces, as in all other dominions, which he actually possesses in the Netherlands or elsewhere.

V. Whereas, in case the Grand Duke of Tuscany, or the Duke of Parma and Placentia, or their successors, should die without male issue, the pretensions of succession to the dominions possessed by them might kindle a new war in Italy, on account of the different rights of succession, whereby, after the decease of the next heirs before her, the present Queen of Spain, born Dutchess of Parma, claims the said dukedoms to herself on the one part, and the Emperor and empire on the other part. To the end that the great disputes, and the evils arising from them, may be timely obviated, it is agreed, that the states and dutchies at present possessed by the Grand Duke of Tuscany, and Duke of Parma and Placentia aforesaid, shall in time to come be held and acknowledged by all the contracting Powers as undoubted male fiefs of the Holy Roman Empire. His Imperial Majesty on his part doth consent, by himself as head of the empire, that whenever it shall happen that the said dutchies shall lie open for want of heirs male, the first-born son of the said Queen of Spain, and his descendants, being males, born in lawful matrimony, and in default of them, the second-born, or other the younger sons of the said Queen, if any shall be born, together with their male descendants, born in lawful marriage, shall in like manner, succeed to all the provinces aforesaid. To which end, it being necessary that the consent of the empire be also given, his Imperial Majesty will use all his endeavours to obtain it; and having obtained it, he will cause the letters of expectative, containing the eventual investiture for the son of the said Queen, or her sons, and their legitimate male de-



scendants, to be expedited in due form; and he will cause the said letters to be delivered to the Catholic King immediately, or at least after two months from the exchange of the ratifications; without any damage, nevertheless, or prejudice, to the Princes who now have possession of the said dutchies, which possession is to remain entirely safe to them.

It is farther agreed, between his Sacred Imperial Majesty, and the Catholic King, that the town of Leghorn may, and ought, perpetually to remain a free port, in the same manner as it now is.

By virtue of the renunciation made by the King of Spain, of all the dominions, kingdoms, and provinces in Italy, which heretofore belonged to the Kings of Spain, that King shall yield to the aforesaid Prince his son, the town of Porto Longone, together with that part of the island Elba, which he actually possesses therein; and shall deliver the same up to him, as soon as that Prince, on the extinction of the male posterity of the Grand Duke of Tuscany, shall be admitted into the actual possession of his territories.

It is moreover agreed to, and provided by solemn contract, that none of the aforesaid dutchies or dominions, at any time, or in any case, may or ought to be possessed by a Prince, who at the same time holds the kingdom of Spain; and that no King of Spain can ever take upon him the guardianship of that Prince, or may be allowed to exercise the same.

Lastly, it is agreed, and thereto all and singular the parties contracting have equally bound themselves, that it never shall be allowed, during the lives of the present possessors of the dutchies of Tuscany and Parma, or of their male successors, that any forces of any country whatsoever, whether their own or hired, shall either by the Emperor, the Kings of Spain and France, or even by the Prince appointed, as above, to the succession, be introduced into the provinces and lands of the said dutchies; nor shall any of them place any garrison in the cities, ports, towns, or fortresses therein situated. **But,**

But, that the said son of the Queen of Spain, appointed by this treaty to the succession of the Great Duke of Tuscany and the Duke of Parma and Placentia, may be more fully secured against all events, and may more certainly depend on the execution of the succession promised him; and likewise that the fief, constituted as above, may remain inviolable to the Emperor and empire; it is agreed on both sides, that garrisons, not exceeding however the number of six thousand men, shall be put into the principal towns thereof, viz. Leghorn, Porto Ferrarò, Parma, and Placentia, be taken from among the Swiss Cantons, which cantons are for this purpose to be paid by the three contracting Powers, who have taken upon them the part of mediators. And the said garrisons are therein to be continued till the case of the said succession shall happen, when they shall be obliged to deliver the towns to the said Prince appointed to the succession; nevertheless, without any trouble or charge to the present possessors, and their successors being males, to whom likewise the said garrisons are to take an oath of fidelity, and are to assume to themselves no other authority than only the guard of the cities committed to their charge.

But whereas this beneficial work may be longer delayed than is convenient, before an agreement can be made with the Swiss Cantons about the number, pay, and manner of establishing such a force; his Sacred Royal Britannic Majesty, out of his singular zeal for the said work, and the public tranquillity, and for the earlier obtaining the end proposed, will not in the mean time refuse to lend his own forces for the use above-mentioned, if the rest of the contracting Powers think good, till the forces to be raised in the Swiss Cantons can take upon them the guard and custody of the said cities.

VI. His Catholic Majesty, to testify his sincere inclination for the public tranquillity, doth consent to all things hereafter mentioned, with regard to what is set-

tled about the kingdom of Sicily for the advantage of his Imperial Majesty, and doth renounce for himself, his heirs and successors, male and female, the right of reversion of that kingdom to the crown of Spain, which he expressly reserved to himself by the instrument of cession dated the 10th of June, 1713. Out of love to the public good he moreover departs from the said act of the 10th of June, 1713, as far as is necessary, as likewise from the sixth article of the treaty of Utrecht, betwixt himself and his Royal Highness the Duke of Savoy, as likewise in general from every thing that may oppose the retrocession, disposition, and permutation of the above-mentioned kingdom of Sicily, by this present treaty established. On condition, nevertheless, that the right of reversion of the island and kingdom of Sardinia to the said crown may be yielded and allowed to him, as hereafter, in the second article of the conventions between his Sacred Imperial Majesty and the King of Sicily, is farther explained.

VII. The Emperor and the Catholic King mutually promise and bind themselves to a reciprocal defence and guaranty of all the kingdoms and provinces which they actually possess, or the possession whereof ought to belong to them by virtue of the present treaty.

VIII. His Imperial Majesty and his Royal Catholic Majesty shall immediately after exchange of the ratifications of these present conventions, put in execution all and every the conditions therein comprehended, and that within the space of two months at the farthest, and the instruments of the ratifications of the said conventions shall be exchanged at London within the space of two months, to be computed from the day of signing, or sooner if possible. Which execution of the conditions being previously performed, their Ministers and Plenipotentiaries, by them to be named, shall in the place of congress, which they shall agree upon,

upon, with all speed severally settle and determine the other points of their particular peace; under the mediation of the three contracting Powers.

It is farther agreed, that in the treaty of peace particularly to be made between the Emperor and the King of Spain, a general amnesty shall be granted to all persons, of any state, dignity, degree, or sex whatsoever, whether ecclesiastical or military, political or civil, who followed the party of the one or the other Prince during the late war; in virtue whereof all and singular the said persons shall be permitted to receive, and they may receive full possession and use of their goods, rights, privileges, honours, dignities, and immunities, and shall use and enjoy the same as freely as they did enjoy them at the beginning of the last war, or at the time when they begun to join themselves to the one or the other party, all confiscations, arrests, and sentences, made, passed, or pronounced, during the war, to the contrary notwithstanding, which shall be held as null and of no effect. In virtue moreover of the aforesaid amnesty, it shall be lawful and free for all and singular the said persons, who followed one or the other party, to return to their country, and to enjoy their goods in the same manner as if no war had happened; and a full licence is given them to take care of the said effects, either by themselves if they should be present, or by their attorneys, if they should choose rather to absent themselves from their country, and they may either sell, or any other way, according to their pleasure, dispose of them, entirely after the same manner they might have done before the beginning of the war.

*Conditions of the Treaty to be concluded between his  
Imperial Majesty and the King of Sicily.*

I. WHEREAS the cession of Sicily, by the treaties of Utrecht, to the House of Savoy, being solely made for rendering that peace solid, and not on the account of any right the King of Sicily had thereto,  
has

has been so far from bringing about the end proposed, that, as all Europe can witness, it has rather proved the great obstacle which hindered the Emperor from acceding to the said treaties, inasmuch as the separation of the kingdoms of Naples and Sicily, so long used to remain under the same dominion, and to be called by the name of both the Sicilies, has not only been found opposite to the common interests and mutual preservation of both kingdoms, but likewise to the repose of all Italy, being constantly productive of new commotions, while neither the ancient intercourse and mutual relation between the two nations can be destroyed, nor the interests of the different Princes can be easily reconciled: for this reason it is that the Princes, who first made the Utrecht treaties, have thought it lawful for them, even without the consent of the parties concerned, to abrogate that one article of those treaties which regards the kingdom of Sicily, and is not any principal part of the said treaty, founding themselves chiefly upon these reasons; That the present treaty will receive its increase and completion from the Emperor's renunciation; and that by the exchange of Sicily for Sardinia, the wars which threaten Italy may be prevented, inasmuch as the Emperor might rightfully attack Sicily, which he never yet renounced, and which, since the infraction of the neutrality of Italy by the seizure of Sardinia, he may rightfully recover by force of arms: besides that the King of Sicily may become possessed of a certain and durable dominion by the benefit of so solemn a treaty with his Imperial Majesty, and guaranteed by the chief Princes of Europe. Being moved therefore by so great reasons, they have agreed that the King of Sicily shall restore to his Imperial Majesty the island and kingdom of Sicily, with all its dependencies and appendages, in the state wherein they now are, immediately, or in two months at the farthest from the exchange of the ratifications of the present treaty. And he shall in favour of the Emperor, his heirs  
and

and successors of both sexes, renounce all rights and pretensions whatsoever to the said kingdom, as well for himself as his heirs and successors, male and female; the reversion thereof to the crown of Spain being entirely taken away.

II. In return, his Imperial Majesty shall yield to the King of Sicily the island and kingdom of Sardinia, in the same condition wherein he shall receive it from the Catholic King, and shall renounce all rights and interests in the said kingdom, for himself, his heirs and successors of both sexes, in favour of the King of Sicily, his heirs and successors, that he may hereafter perpetually possess the same, with the title of a kingdom, and all other honours annexed to the royal dignity, in the same manner as he possessed the kingdom of Sicily; on condition, nevertheless, that the reversion of the said kingdom of Sardinia shall be reserved to the crown of Spain, whenever it may happen that the King of Sicily shall be without heirs male, and all the House of Savoy shall likewise be destitute of heirs male. But in the same manner altogether as the said reversion was settled and ordained for the kingdom of Sicily by the treaties of Utrecht, and by the act of cession in pursuance thereof made by the King of Spain.

III. His Imperial Majesty shall confirm to the King of Sicily all the cessions made to him by the treaty signed at Turin the 8th of November, 1703, as well of that part of the dutchy of Montferrat, as of the provinces, cities, towns, castles, lands, places, rights, and revenues of the state of Milan, which he now doth possess, in the manner wherein he actually doth possess them; and he will stipulate for himself, his descendants and successors, that he never will disturb him, his heirs or successors, in the possession aforesaid: on condition, nevertheless, that all other claims and pretensions, which he may possibly make in virtue of the said treaty, shall be and remain void.

IV. His

IV. His Imperial Majesty shall acknowledge the right of the King of Sicily, and his House, to succeed immediately to the kingdom of Spain and of the Indies, in case of the failure of King Philip V. and his posterity, in manner as is settled by the renunciations of the Catholic King, the Duke of Berry, and the Duke of Orleans, and by the treaties of Utrecht; and his Imperial Majesty shall promise, as well for himself as for his successors and descendants, that at no time he will directly or indirectly oppose, or any way act contrary to the same. It is declared, nevertheless, that no Prince of the House of Savoy, who shall succeed to the crown of Spain, may possess at the same time any province or dominion on the continent of Italy, and that in such case those provinces shall devolve to the collateral Princes of that House, who shall succeed therein one after another, according to the proximity of blood.

V. His Imperial Majesty and the King of Sicily shall give mutual guaranties for all the kingdoms and provinces which they actually possess in Italy, or which shall accrue to them by virtue of this present treaty.

VI. His Imperial Majesty and the King of Sicily, immediately after the exchange of the ratifications of these conventions, shall put in execution all and every the conditions therein contained, and that within the space of two months at the farthest: and the instruments of the ratifications of the said conventions shall be exchanged at London within two months from the day of signing, or sooner if possible. And immediately after the previous execution of the said conditions, their Ministers and Plenipotentiaries by them to be named shall, in the place of congress they shall agree upon, with all speed severally settle the other points of their particular peace, under the mediation of the three contracting Powers.

His above-named Imperial and Catholic Majesty, being extremely inclined to promote the peace proposed, and to avert the dreadful calamities of war, and out of his sincere desire to settle an universal pacification, hath accepted the afore-mentioned conventions, and all and singular the articles thereof, and hereby doth accept the same, and accordingly has entered into a particular treaty with the three Powers above-said, on the following conditions.

I. That there be and remain between his Sacred Imperial Catholic Majesty, his Sacred Royal Majesty of Great Britain, his Sacred Royal most Christian Majesty, and the High and Mighty Lords the States General of the United Netherlands, and their heirs and successors, a most strict alliance, in virtue whereof each of them are bound to preserve the dominions and subjects of the others, as likewise to maintain peace, to promote mutually the interests of the others as their own, and to prevent and repel all damages and injuries whatsoever.

II. The treaties made at Utrecht and Baden shall remain in their full strength and force, and shall be a part of this treaty, those articles excepted, from which it has been judged for the public good to depart; as likewise those articles of the Utrecht treaties excepted, which were abolished by the treaty of Baden. The treaty of alliance made at Westminster the 25th of May, 1716, between his Sacred Imperial and Catholic Majesty, and his Sacred Royal Majesty of Great Britain, as likewise the treaty made at the Hague the 4th of January, 1717, between the King of Great Britain and the most Christian King, and the States General of the United Provinces, shall nevertheless remain in full force in every particular.

III. His Sacred Britannic Majesty, as likewise his Sacred most Christian Majesty, and the Lords the States General of the United Netherlands, do covenant for themselves, their heirs and successors, that they never will, directly or indirectly, disturb his Sa-  
cred



cred Imperial and Catholic Majesty, his heirs and successors, in any of his kingdoms, dominions, and provinces, which he possesses by virtue of the treaties of Utrecht and Baden, or which he shall gain possession of by virtue of this present treaty. On the contrary, they both will and ought to defend and guaranty the provinces, kingdoms, and jurisdictions, which he now possesses, or which shall accrue to him in virtue of this treaty, as well in Germany as in the Netherlands and in Italy; and they promise that they will defend the said kingdoms and provinces of his Imperial and Catholic Majesty, against all and singular who may attempt to invade the same in a hostile manner; and that they both will and ought, when the case happens, to furnish him with such succours as he shall need, according to the conditions and repartition which they have agreed upon as hereafter mentioned. In like manner, their Royal Britannic and most Christian Majesties, and the States General, expressly bind themselves, that they will not at any time give or grant any protection or refuge, in any part of their dominions, to the subjects of his Imperial and Catholic Majesty, who actually are, or hereafter shall be by him declared rebels, and in case any such shall be found in their kingdoms, provinces, or dominions, they sincerely promise that they will take effectual care to expel them out of their territories, within eight days after application made by his Imperial Majesty.

IV. On the other hand, his Sacred Imperial and Catholic Majesty, his Sacred Royal Britannic Majesty, and the States General of the United Provinces, promise for themselves, their heirs and successors, that they never will, directly or indirectly, disturb his Sacred most Christian Majesty in any of his dominions to the crown of France now belonging. On the contrary, they will and ought to guard and defend the same against all and singular who may attempt to invade them in a hostile manner, and in that case they will and ought to furnish such succours as his most

most Christian Majesty shall want, according as hereafter is agreed upon.

His Sacred Imperial and Catholic Majesty, his Sacred Royal Majesty of Great Britain, and the Lords the States General, do likewise promise and oblige themselves, that they will and ought to maintain, guaranty, and defend the right of succession in the kingdom of France, according to the tenor of the treaties made at Utrecht the 11th of April, 1713, obliging themselves to stand by the said succession, plainly according to the form of the renunciation made by the King of Spain the 5th of November, 1712, and by a solemn act accepted in the General Assembly of the States of Spain, the 9th day of the month and year aforesaid, which thereupon passed into a law the 18th of March, 1713, and lastly was established and settled by the treaties of Utrecht: and this they shall perform against all persons whatsoever who may presume to disturb the order of the said succession, in contradiction to the previous acts, and treaties subsequent thereupon; to which end they shall furnish the succours, according to the repartition agreed on below. Farther, when the matter may require it, they shall defend the said order of succession with all their forces, by likewise declaring war against him who may attempt to infringe or impugn the same.

Moreover, his Imperial Royal Catholic Majesty, and his Royal Britannic Majesty, and the States General, do likewise promise, that they will not at any time give or grant any protection or refuge in their dominions to the subjects of his Royal most Christian Majesty, who actually are, or hereafter shall be declared rebels; and in case any such shall be found in their kingdoms, provinces, and dominions, they shall command them to depart the same within the space of eight days after application made by the said King.

V. His Sacred Imperial and Royal Catholic Majesty, as also his Royal most Christian Majesty, and the States General of the United Provinces, do bind themselves,

themselves, their heirs and successors, to maintain and guaranty the succession in the kingdom of Great Britain, as established by the laws of that kingdom, in the House of his Britannic Majesty now reigning, as likewise to defend all the dominions and provinces possessed by his Majesty. And they shall not give or grant any protection or refuge, in any part of their dominions, to the person, or his descendants, if he should have any, who, during the life of James the Second, took on him the title of Prince of Wales, and since the death of that King assumed the royal title of King of Great Britain; promising alike for themselves, their heirs and successors, that they will not give to the said person or his descendants, directly or indirectly, by sea or by land, any succour, counsel, or assistance whatsoever, either in money, arms, military stores, ships, soldiers, mariners, or any other manner whatsoever. The same they shall observe with regard to those who may be ordered or commissioned by the said person, or his descendants, to disturb the government of his Britannic Majesty, or the tranquillity of his kingdom, whether by open war or clandestine conspiracies, by raising seditions and rebellions, or by exercising piracy on his Britannic Majesty's subjects. In which last case his Imperial and Royal Catholic Majesty doth promise, that he will in no wise allow that there be any receptacle granted to such pirates in his ports in the Netherlands. The same do his Sacred most Christian Majesty, and the States General of the United Provinces, stipulate, with regard to the ports in their respective dominions: as, on the other hand, his Britannic Majesty doth promise, that he will refuse any refuge in the ports of his kingdoms to pirates infesting the subjects of his Sacred Imperial and Royal Catholic Majesty, of his Sacred Royal most Christian Majesty, or of the Lords the States General. Lastly, His Imperial and Royal Catholic Majesty, his Sacred Royal most Christian Majesty, and the Lords the States General, oblige themselves, that they never  
will

will give any refuge or protection, in any part of their dominions, to such of his Britannic Majesty's subjects as actually are, or hereafter shall be declared rebels; and in case any such shall be found in any of their kingdoms, provinces, and dominions, they shall command them, within eight days after application made by the said King, to depart out of their territories. And if it should happen that his Sacred Britannic Majesty should be invaded in any part in a hostile manner, his Imperial and Royal Catholic Majesty, as likewise his Royal most Christian Majesty, and the States General of the United Provinces, do oblige themselves in that case to furnish the succours hereafter specified. The same they are to do in favour of his descendants, if ever it should happen that they should be disturbed in the succession of the kingdom of Great Britain.

VI. His Imperial and Royal Catholic Majesty, and their Royal Britannic and most Christian Majesties, do bind themselves, their heirs and successors, to protect and guaranty all the dominions, jurisdictions, and provinces, which the Lords the States General of the United Provinces actually possess, against all persons whatsoever who may disturb or invade them, promising to furnish them in such case with the succours hereafter mentioned. His Imperial and Royal Catholic Majesty, and their Royal Britannic and most Christian Majesties, likewise oblige themselves, that they will give no refuge or protection, in any of their kingdoms, to the subjects of the States General, who are, or hereafter shall be declared rebels; and if any such shall be found in any of their kingdoms, dominions, or provinces, they will take care to send them out of their dominions within the space of eight days after application made by the Republic.

VII. When it shall happen that any one of the four contracting Powers shall be invaded by any other Prince or State, or disturbed in the possession of their

kingdoms or dominions, by the violent detention of their subjects, ships, goods, or merchandize, by sea or by land, then the three remaining Powers shall, as soon as they are required thereto, use their good offices that the party suffering may have satisfaction for the damage and injury received, and that the aggressor may abstain from the prosecution of his hostility. But when these friendly offices for reconciliation, and procuring satisfaction and reparation to the injured party; shall have proved insufficient, in that case the high allies, within two months after application made, shall furnish the party invaded with the following succours, jointly or separately; *viz.*

His Imperial and Royal Catholic Majesty, eight thousand foot, and four thousand horse.

His Britannic Majesty, eight thousand foot, and four thousand horse.

His most Christian Majesty, eight thousand foot, and four thousand horse.

And the Lords the States Général, four thousand foot, and two thousand horse.

But if the Prince or party injured, instead of soldiers chuses rather ships of war, or transports, or subsidies in money, which is left to his discretion, in that case, the ships or money desired shall be granted him in proportion to the charge of the soldiers to be furnished. And, that all ambiguity with regard to the calculation and charge of such sums may be taken away, it is agreed, that a thousand foot by the month, shall be reckoned at ten thousand florins of Holland, and a thousand horse shall be reckoned at thirty thousand florins of Holland, by the month; the same proportion being observed with respect to the ships.

When the above-named succours shall be found insufficient for the necessity impending, the contracting Powers shall, without delay, agree on contributing more ample supplies. And farther, in case of exigency, they shall assist their injured ally with all their forces, and declare war against the aggressor.

VIII. The Princes and States upon whom the contracting Powers shall unanimously agree, may accede to this treaty; and the King of Portugal by name.

This treaty shall be approved and ratified by their Imperial, Britannic, and most Christian Majesties, and by the High and Mighty Lords the States General of the United Provinces, and the instruments of ratification shall be exchanged at London, and reciprocally delivered within the space of two months, or sooner, if possible.

In witness whereof, we the underwritten (being furnished with full powers, which have been mutually communicated, and the copies whereof having been in due form by us collated and examined with the originals, are word for word inserted at the end of this instrument) have subscribed this present treaty, and thereto put our seals. Done at London, the <sup>twenty-second of July, O. S.</sup> <sub>second of August; N. S.</sub> anno Domini one thousand seven hundred and eighteen.

(L. S.) *Chrif. Penterridter*  
*ab Adelshausen.*

(L. S.) *Dubois.*

(L. S.) *W. Cant.*

(L. S.) *Parker, C.*

(L. S.) *Jo. Phil. Hoffman.*

(L. S.) *Sunderland, P.*

(L. S.) *Kingston, C. P. S.*

(L. S.) *Kent.*

(L. S.) *Holles Newcastle.*

(L. S.) *Bolton.*

(L. S.) *Roxburghe.*

(L. S.) *Barkeley.*

(L. S.) *J. Craggs.*

WE having seen and considered the above-written treaty, have approved, ratified, and confirmed, as by these presents, we do, for us, our heirs and successors, approve, ratify, and confirm the same in all and singular its articles and clauses, engaging and promising, upon our Royal word, sincerely and faithfully to perform

form all and singular the contents of the said treaty, and never to suffer, as far as in us lies, any person to violate the same, or in any manner to act contrary thereunto. In witness whereof, we have caused our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace at Kensington, the seventh day of August, in the year of our Lord 1718, and of our reign the fifth.

GEORGE R.

GEORGE, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular, to whom these presents shall come, greeting. Whereas, besides the treaty of pacification to be made between the Emperor of the Romans and the King of Spain, and between the said Emperor and the King of Sicily, and the treaty made between us and our good brother the said Emperor of the Romans, and our good brother the most Christian King, and our good friends the High and Mighty Lords the States General of the United Netherlands, concluded by Plenipotentiaries sufficiently furnished on all sides with orders and authority, in our city of London, the twenty-second day of July last past, O. S. certain separate and secret articles, to the said treaty belonging, were also concluded and signed by the said Plenipotentiaries, in the same place, and on the same day, in the form and words following:

*Separate and Secret Articles.*

I. WHEREAS the most Serene and most Potent King of Great Britain, and the most Serene and most Potent the most Christian King, as likewise the High and Mighty Lords the States General of the United Netherlands, by virtue of the treaty between them this day concluded and signed, have agreed on cer-  
tain

tain conditions, whereby a peace may be made betwixt the most Serene and most Potent Emperor of the Romans, and the most Serene and most Potent King of Spain, as also between his Sacred Imperial Majesty aforesaid, and the King of Sicily (whom hereafter it is thought fit to call the King of Sardinia) which conditions they have communicated to the three Princes aforesaid, as a basis of the peace to be established between them; his Sacred Imperial Majesty, being moved by the most weighty reasons which induced the King of Great Britain, the most Christian King, and the States General aforesaid, to take upon themselves so great and so wholesome a work, and, yielding to their circumspect and urgent counsels and persuasions, declares that he doth accept the said conditions or articles, none of them excepted, as fixed and immutable conditions, according to which he agrees to conclude a perpetual peace with the King of Spain and the King of Sardinia.

II. But because the King of Spain and the King of Sardinia have not yet consented to the said conditions, his Imperial Majesty, as likewise their Royal Britannic and most Christian Majesties, and the States General aforesaid, have agreed to allow them, for consenting thereto, the space of three months, to be computed from the day of signing this present treaty, as judging this interval of time sufficient for them duly to weigh the said conditions, and finally determine and declare themselves whether they are willing to accept them as fixed and immutable conditions of their pacification with his Imperial Majesty, as from their piety and prudence it may be hoped they will do, and, following the example of his Imperial Majesty, that they will be induced to moderate their passions, and, out of regard to humanity, that they will prefer the public tranquillity to their own private opinions; and at the same time not only spare the effusion of their own people's blood, but avert the calamities of war from the other nations of Europe: to which end their Bri-



tannic and most Christian Majesties, and the States General of the United Netherlands, will jointly and separately contribute their most effectual offices for inclining the said Princes to such an acceptation.

III. But if, contrary to all expectation of the parties above contracting, and the wishes of all Europe, the King of Spain, and the King of Sardinia, after the term of three months elapsed, should decline to accept the said conditions of pacification proposed betwixt them and his Imperial Majesty, since it is not reasonable that the tranquillity of Europe should depend upon their refusal, or private designs, their Britannic and most Christian Majesties, and the States General, do promise that they will join their forces with those of his Imperial Majesty, in order to compel them to the acceptance and execution of the aforesaid conditions. To which end they will furnish his Imperial Majesty, jointly and separately, with the self-same succours with which they have agreed upon their reciprocal defence, by the seventh article of the treaty signed this day, unanimously consenting that the most Christian King shall, instead of soldiers, contribute his quota in money. And if the succours specified in the said seventh article shall not be sufficient for compassing the end proposed, then the four contracting parties shall without delay agree of more ample succours to be furnished to his Imperial Majesty, and shall continue the same till his Imperial Majesty shall have reduced the kingdom of Sicily, and till his kingdoms and provinces in Italy shall enjoy full security. It is farther agreed, and that in express words, that if, by reason of the succours which their Britannic and most Christian Majesties, and the Lords the States General, shall furnish to his Imperial Majesty, by virtue and in execution of the present treaty, the Kings of Spain and Sardinia, or either of them, shall declare or wage war against any one of the said contractors, either by attacking them in their dominions, or by violently detaining their subjects or ships, their goods and merchandizes,

chandizes, by sea or land, in that case the two other of the contracting Powers shall immediately declare war against the said Kings of Spain and Sardinia, or against him of the two Kings who shall have denounced or waged war against any one of the said contracting Powers; nor shall they lay down their arms before the Emperor shall be possessed of Sicily, and made secure with regard to his kingdoms and provinces in Italy, and likewise just satisfaction shall be given to him of the three contracting Powers who shall have been invaded or suffered damage by reason of the present treaty.

IV. When only one of the two Kings aforesaid, who have not yet consented to the conditions of peace to be made with his Imperial Majesty, shall accept them, he likewise shall join himself with the four contracting Powers, to compel him that shall refuse the said conditions, and shall furnish his quota of succours according to the distribution to be made thereupon.

V. If the Catholic King, out of regard to the public good, and a persuasion that an exchange of the kingdoms of Sicily and Sardinia is necessary for the maintenance of the general peace, shall agree thereto, and embrace the conditions of peace to be made with the Emperor as above; and on the other hand, if the King of Sardinia shall reject such an exchange, and persist in retaining Sicily; in that case the King of Spain shall restore Sardinia to the Emperor, who (saving his supreme dominion over it) shall put the same into the custody of the most Serene King of Great Britain, and of the Lords the States General, for so long time, till Sicily being reduced, the King of Sardinia shall sign the above-mentioned conditions of a treaty with the Emperor, and shall agree to accept the kingdom of Sardinia as an equivalent for the kingdom of Sicily; which being done, he shall be admitted into the possession thereof by the King of Great Britain and the States General. But if his Imperial Majesty should

should not be able to conquer Sicily, and reduce it under his power, in that case the King of Great Britain, and the States General, shall restore to him the kingdom of Sardinia; and in the mean time his Imperial Majesty shall enjoy the revenues of the said kingdom, which shall exceed the charge of keeping it.

VI. But in case the King of Sardinia shall consent to the said exchange, and the King of Spain shall refuse, in this case the Emperor, being aided by the succours of the rest of the contractors, shall attack Sardinia; with which succours they on their part promise to furnish him; as the Emperor promises on his part, that he will not lay down his arms till he shall have possessed himself of the whole kingdom of Sardinia, which immediately after such possession he shall give up to the King of Sardinia.

VII. But if both the Kings of Spain and Sardinia shall oppose the exchange of Sicily and Sardinia, the Emperor, together with the succours of the allies, shall in the first place attack Sicily, and having reduced it, he shall turn his arms against Sardinia, with such a number of forces, besides the succours of the allies, as he shall judge necessary for both expeditions: and, having likewise reduced Sardinia, his Imperial Majesty shall commit the custody thereof to the King or Great Britain, and to the Lords the States General, till the King of Sardinia shall have signed the conditions of peace to be made with the Emperor, and shall consent to accept the kingdom of Sardinia as an equivalent for the kingdom of Sicily, which then is to be delivered up to him by his Britannic Majesty and the States General; and in the mean time his Imperial Majesty shall enjoy the revenues of that kingdom, which shall exceed the charge of keeping it.

VIII. In case the Catholic King and the King of Sardinia, or either of them, shall refuse to accept and execute the abovesaid conditions of peace to them  
proposed,

proposed, and for that reason the four contracting Powers should be compelled to proceed against them, or either of them, by open force; it is expressly covenanted, that the Emperor (what progress soever his arms may make against the said two Kings, or either of them) shall be content, and ought to acquiesce in the advantages by mutual consent allotted to him in the said conditions, power nevertheless being reserved to his Imperial Majesty of recovering the rights which he pretends to have over that part of the dutchy of Milan, which the King of Sardinia now possesses, either by war, or by a treaty of peace subsequent upon such war; power being likewise reserved to the other three allies, in case such a war should be undertaken against the Kings of Spain and Sardinia, to agree with his Imperial Majesty in appointing some other Prince, in whose favour his Imperial Majesty may dispose of that part of the dutchy of Montserrat, now possessed by the King of Sardinia, in exclusion of the said King; and to what other Prince or Princes he may, with the consent of the empire, grant the letters of expectative, containing the eventual investiture of the states now possessed by the Grand Duke of Tuscany, and by the Duke of Parma and Placentia, in exclusion of the sons of the present Queen of Spain. This declaration being added, that in no time or case whatsoever, either his Imperial Majesty, or any Prince of the House of Austria, who shall possess the kingdoms, dominions, and provinces of Italy, may assert or gain to himself the said dutchies of Tuscany and Parma.

IX. But if his Imperial Majesty, after his efforts by a sufficient number of forces, and the succours and other means of the allies, and by using all convenient diligence, should not be able by arms to subdue, or to establish himself in the possession of Sicily, the contracting Powers do agree and declare, that his Imperial Majesty is, and shall be in that case, altogether free and discharged from every obligation entered into by this treaty, of agreeing to make a peace with the  
Kings

Kings of Spain and Sardinia, on the conditions above-mentioned. All other the articles of this treaty nevertheless to remain good, which mutually regard his Imperial Majesty, their Britannic and most Christian Majesties, and the Lords the States General of the United Netherlands.

X. However, as the security and tranquillity of Europe is the end and scope of the renunciations to be made by his Imperial Majesty, and by his Catholic Majesty, for themselves, their descendants, and successors, of all pretensions to the kingdom of Spain, and the Indies, on the one part; and on the kingdoms, dominions, and provinces of Italy, and the Austrian Netherlands, on the other part; the said renunciations shall be made, on the one and the other part, in manner and form as in the second and fourth articles of the conditions of a peace to be made between his Imperial Majesty, and his Royal Catholic Majesty, has been agreed. And though the Catholic King should refuse to accept the aforesaid conditions, the Emperor nevertheless shall cause the instruments of his renunciation to be dispatched, the publication whereof shall however be deferred till the day of signing the peace with the Catholic King. And if the Catholic King should constantly persist in rejecting the said peace, his Imperial Majesty nevertheless, at the time when the ratifications of this treaty shall be exchanged, shall deliver to the King of Great Britain a solemn act of the said renunciations, which his Britannic Majesty, pursuant to the common agreement of the contracting Powers, doth promise shall not be exhibited to the most Christian King before his Imperial Majesty shall come into the possession of Sicily. But that being obtained, then the exhibition, as well as publication of the said act of his Imperial Majesty's renunciations, shall be performed upon the first demand of the most Christian King. And those renunciations shall take place, whether the Catholic King shall sign the peace with the Emperor or no; by reason that, in this last case,

case, the guaranty of the contracting parties shall be to the Emperor in lieu of that security which otherwise the renunciations of the Catholic King would have given to his Imperial Majesty for Sicily, the other States of Italy, and the provinces of the Netherlands,

XI. His Imperial Majesty doth promise that he will not attempt or enterprize any thing against the Catholic King, or the King of Sardinia, or in general, against the neutrality of Italy, in that space of three months allowed them for accepting the conditions of their peace with the Emperor. But if, within the said space of three months, the Catholic King, instead of accepting the said conditions, shall rather persist in the prosecuting of his hostilities against his Imperial Majesty; or if the King of Sardinia should with arms attack the provinces which the Emperor possesses in Italy; in that case their Britannic and most Christian Majesties, and the Lords the States General, oblige themselves instantly to furnish his Imperial Majesty, for his defence, with the succours which, in virtue of the treaty this day signed, they have mutually agreed to lend one another for their reciprocal defence; and that jointly or separately, and without waiting the expiration of the two months otherwise prefixed in the said treaty for the employing of friendly offices. And if the succours specified by the said treaty should not be sufficient for the end proposed, the four contracting parties shall immediately agree amongst themselves to send more powerful assistance to his Imperial Majesty.

XII. The eleven foregoing articles are to be kept secret by his Imperial Majesty, their Britannic and most Christian Majesties, and the States General, for the space of three months, from the day of the signing, unless it shall be unanimously agreed by them to shorten or prolong the said term: and though the said eleven articles be separate from the treaty of alliance this day signed by the four contracting parties aforesaid, they shall nevertheless have the same power and force

force as if they had been word for word inserted therein, since they are deemed to be an essential part thereof.

The ratifications thereof shall moreover be exchanged at the same time as the other articles of the said treaty.

In witness whereof, we the under-written, by virtue of the full powers this day mutually exhibited, have subscribed these separate articles, and thereto have affixed our seals. Done at London, the

22d of July, O. S.  
2d of Aug. N. S. anno Domini 1718.

(L. S.) *Chris. Penterridter*  
*ab Adelshausen.*

(L. S.) *Jo. Phil. Hoffman.*

(L. S.) *Dubois,*

(L. S.) *W. Cant.*

(L. S.) *Parker, C.*

(L. S.) *Sunderland, P.*

(L. S.) *Kingston, C. P. S.*

(L. S.) *Kent.*

(L. S.) *Holles Newcastle.*

(L. S.) *Bolton.*

(L. S.) *Roxburghe.*

(L. S.) *Berkeley.*

(L. S.) *J. Craggs.*

WE having seen and considered the separate and secret articles above-written, have approved, ratified, and confirmed, as by these presents we do, for us, our heirs and successors, approve, ratify, and confirm the same, in all and singular their clauses, engaging and promising, upon our Royal word, sincerely and faithfully to perform and observe all and singular the contents of the said separate and secret-articles, and never to suffer, as far as in us lies, any person to violate them, or in any manner to act contrary thereunto. In witness and confirmation whereof we have caused our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace at Kensington, the seventh day of August, in the year of our Lord seventeen hundred and eighteen, and of our reign the fifth.

GEORGE R.

GEORGE,

GEORGE, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular, to whom these presents shall come, greeting. Whereas, besides the treaty of pacification to be made between the Emperor of the Romans and the King of Spain, and between the said Emperor and the King of Sicily, and the treaty made between us and our good brother the said Emperor of the Romans, and our good brother the most Christian King, and our good friends the High and Mighty Lords the States General of the United Netherlands, concluded by Plenipotentiaries sufficiently furnished on all sides with orders and authority, in our city of London, the twenty-second day of July last past, O. S. certain separate articles, being four in number, to the said treaty belonging, were also concluded and signed severally by the said Plenipotentiaries, in the same place, and on the same day, in the form and words following.

*Separate Article.*

WHEREAS the treaty, this day made and signed between his Imperial Majesty, his Britannic Majesty, and his most Christian Majesty (containing as well such conditions as have been thought most equitable and proper for establishing a peace betwixt the Emperor and the Catholic King, and betwixt the said Emperor and the King of Sicily, as the conditions of an alliance made for preserving the public peace between the said contracting Powers) hath been communicated to the High and Mighty Lords the States General of the United Netherlands: and whereas the separate and secret articles likewise signed this day, and containing the measures which it has been thought fit to take for putting the abovesaid treaty in execution, are likewise shortly to be proposed to the States General aforesaid: the inclination which that Republic has shewn for restoring and establishing the public tranquillity,



quillity, leaves no room of doubt but they will most readily accede thereto. The States General aforesaid are therefore by name inserted as contracting parties in the said treaty, in most certain hope that they will enter therein, as soon as the usual forms of their government will allow.

But if, contrary to the hopes and wishes of the contracting parties (which nevertheless is not in the least to be suspected) the said Lords the States General shall not take their resolution to accede to the said treaty, it is expressly agreed and covenanted between the said contracting parties, that the treaty above-mentioned, and this day signed, shall nevertheless have its effect among them, and shall in all its clauses and articles be put in execution in the same manner as therein is set forth, and the ratifications thereof shall be exhibited at the times above specified.

This separate article shall have the same force as if it had been word for word inserted in the treaty this day concluded and signed, and shall be ratified in the same manner, and the instruments of ratification shall be delivered within the same time, with the treaty itself.

In witness whereof we the under-written, by virtue of the full powers this day mutually exhibited, have signed this separate article, and thereto have affixed our seals. Done at London, the

<sup>22d of July, O. S.</sup>  
<sup>2d of Aug. N. S.</sup> anno Domini 1718.

(L. S.) *Chris. Penterridter*  
*ab Adelshausen.*

(L. S.) *Jo. Phil. Hoffman.*

(L. S.) *Dubois.*

(L. S.) *W. Cant.*

(L. S.) *Parker, C.*

(L. S.) *Sunderland, P.*

(L. S.) *Kingston, C. P. S.*

(L. S.) *Kent.*

(L. S.) *Holles Newcastle.*

(L. S.) *Bolton.*

(L. S.) *Roxburghe.*

(L. S.) *Barkeley.*

(L. S.) *J. Craggs.*

*Separate*

*Separate Article.*

BUT if the Lords the States General of the United Netherlands should happen to think it too hard for them to contribute their share of pay to the Swiss Cantons, for maintaining the garrisons of Leghorn, Porto-Ferraio, Parma, and Placentia, according to the tenor of the treaty of alliance this day concluded, it is expressly provided by this separate article, and agreed between the four contracting Powers, that in such case the Catholic King may take upon him the said share of the Lords the States General.

This separate article shall have the same force as if it had been word for word inserted in the treaty this day concluded and signed, and shall be ratified in the same manner, and the instruments of ratification shall be delivered within the same time, with the treaty itself.

In witness whereof we the under-written, by virtue of the full powers this day mutually exhibited, have signed this separate article, and thereto have affixed our seals. Done at London, the  
22d of July, O. S.  
23 of Aug. N. S. anno Domini one thousand seven hundred and eighteen.

(L. S.) *Cbrif. Penterridter*  
*ab Adelshausen.*

(L. S.) *Jc. Pbil. Hoffman.*

(L. S.) *Dubois.*  
(L. S.) *W. Cant.*  
(L. S.) *Parker, C.*  
(L. S.) *Sunderland, P.*  
(L. S.) *Kingston, C. P. S.*  
(L. S.) *Kent.*  
(L. S.) *Holles Newcastle.*  
(L. S.) *Bolton.*  
(L. S.) *Roxburghe.*  
(L. S.) *Barkeley.*  
(L. S.) *J. Craggs.*

*Separate Article.*

WHEREAS in the treaty of alliance this day to be signed with his Imperial and Catholic Majesty, as likewise

likewise in the conditions of peace inserted therein, their Sacred Royal Britannic and most Christian Majesties, and the Lords the States General of the United Netherlands, do style the present possessor of Spain and the Indies Catholic King, and the Duke of Savoy King of Sicily, or also King of Sardinia: and whereas his Sacred Imperial and Catholic Majesty cannot acknowledge these two Princes as Kings, before they shall have acceded to this treaty: his Sacred Imperial and Catholic Majesty, by this separate article, which was signed before the treaty of alliance, doth therefore declare and protest, that, by the titles there either given or omitted, he doth not mean in the least to prejudice himself, or to grant or allow the titles of King to the said two Princes, only in that case when they shall have acceded to the treaty this day to be signed, and shall have agreed to the conditions of peace specified therein.

This separate article shall have the same force as if it had been word for word inserted in the treaty this day concluded and signed, and shall be ratified in the same manner, and the instruments of ratification shall be delivered within the same time, with the treaty itself.

In witness whereof, we the under-written, by virtue of the full powers this day mutually exhibited, have signed this separate article, and thereto have affixed our seals. Done at London, the

22d of July, O. S.

2d of Aug. N. S.

anno Domini 1718.

(L. S.) *Chris. Penterridter*  
*ab Adelshausen.*

(L. S.) *Jo. Phil. Hoffman.*

(L. S.) *Dubois.*

(L. S.) *W. Cant.*

(L. S.) *Parker, C.*

(L. S.) *Sunderland, P.*

(L. S.) *Kingston, C. P. S.*

(L. S.) *Kent.*

(L. S.) *Holles Newcastle.*

(L. S.) *Bolton.*

(L. S.) *Roxburghe.*

(L. S.) *Barkeley.*

(L. S.) *J. Craggs.*

*Separate*

*Separate Article.*

WHEREAS some of the titles which his Sacred Imperial Majesty makes use of, either in his full powers, or in the treaty of alliance this day to be signed with him, cannot be acknowledged by his Sacred Royal most Christian Majesty; he doth declare and protest by this separate article, which was signed before the treaty of alliance, that by the said titles given in this treaty, he doth not mean to prejudice either himself or any other, or that he in the least gives any right thereby to his Imperial Majesty.

This separate article shall have the same force as if it had been word for word inserted in the treaty this day concluded and signed, and shall be ratified in the same manner, and the instruments of ratification shall be delivered within the same time, with the treaty itself.

In witness whereof we the under-written, by virtue of the full powers this day mutually exhibited, have signed this separate article, and thereto have affixed our seals. Done at London, the  
22d of July, O. S.  
2d of Aug. N. S., anno Domini one thousand seven hundred and eighteen.

(L. S.) <i>Chrif. Penterridter</i>	(L. S.) <i>Dubois.</i>
<i>ab Adelshausen.</i>	(L. S.) <i>W. Cant.</i>
	(L. S.) <i>Parker, C.</i>
(L. S.) <i>Jo. Phil. Hoffman.</i>	(L. S.) <i>Sunderland, P.</i>
	(L. S.) <i>Kingston, C. P. S.</i>
	(L. S.) <i>Kent.</i>
	(L. S.) <i>Holles Newcastle.</i>
	(L. S.) <i>Bolton.</i>
	(L. S.) <i>Roxburghe.</i>
	(L. S.) <i>Barkley.</i>
	(L. S.) <i>J. Craggs.</i>

WE having seen and considered the four separate articles above-written, have approved, ratified, and confirmed, as by these presents we do, for us, our heirs

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and

and successors, approve, ratify, and confirm the same, in all and singular their clauses, engaging and promising upon our Royal word, sincerely and faithfully to perform and observe all and singular the contents of the four separate articles aforesaid, and never to suffer, as far as in us lies, any person to violate them, or in any manner to act contrary thereunto. In witness and confirmation whereof, we have caused our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace at Kensington, the seventh day of August, in the year of our Lord seventeen hundred and eighteen, and of our reign the fifth.

GEORGE R.

*The Act of Admission and Accession of the King of Sardinia, &c.*

WHEREAS a certain treaty, and separate and secret articles, as likewise four other separate articles relating thereto, and all of them of the same force with the principal treaty, have been in due form concluded and signed by the ministers plenipotentiaries of his Imperial and Catholic Majesty, of his Britannic Majesty, and of his most Christian Majesty, at London, the <sup>22d day of July</sup> ~~22d~~ <sup>2d day of Aug.</sup> last past, between the contracting parties above-mentioned, the tenor of all which, word for word, here followeth.

*Here were inserted,*

The treaty.

Separate and secret articles.

The four separate articles.

And whereas farther the then King of Sicily, whom it is now agreed to call by the name of King of Sardinia, according to the intention of the treaty and articles above inserted, has been invited to accede fully and amply to all and singular of them, and to join himself in due form to the contracting parties, as if he himself from the beginning had been one of the contractors: and whereas the said King of Sardinia, having maturely weighed the conditions particularly expressed

pressed in the treaty and articles above inserted, has not only declared himself willing to accept the same, and to approve them by his accession, but has likewise granted sufficient full powers to his ministers appointed to perfect the said work. That therefore an affair so beneficial may have the desired success, we the under-written ministers plenipotentiaries of his Imperial and Catholic Majesty, of his Britannic Majesty, and of his most Christian Majesty, in the name and by the authority of their said Majesties, have admitted, joined, and associated, and by these presents do admit, join, and associate, the aforesaid King of Sardinia into a full and total partnership of the treaty above inserted, and of all and singular the articles thereunto belonging; promising by the same authority, that their aforesaid Majesties, jointly and separately, will entirely and exactly perform and fulfil to the said King of Sardinia, all and singular the conditions, cessions, contracts, guaranties, and securities, contained and set forth in the treaty and articles above-mentioned; it being farther provided, that all and singular the things agreed upon by the secret articles against the said King of Sardinia, shall by this his present accession wholly cease, and be abolished. On the other hand also, we the under-written ministers plenipotentiaries of the King of Sardinia, by virtue of the full power in due form exhibited and allowed, a copy whereof is added at the end of this instrument, do hereby testify and promise in the name of the said King, that our King and master aforesaid doth accede fully and amply to the treaty, and to all and singular the articles therein above inserted: that by this solemn accession he doth join himself to the contracting parties aforesaid, as if he himself from the beginning had been a party contracting: and that, by virtue of this act, his said Majesty the King of Sardinia doth mutually oblige and bind himself, both for himself, his heirs and successors, to his Imperial and Catholic Majesty, to his Britannic Majesty, and to his most Christian Majesty, and to

their heirs and successors, jointly and separately, that he will observe, perform, and fulfil all and singular the conditions, cessions, contracts, guaranties, and securities, in the above-written treaties and articles expressed and set forth, towards all of them jointly, and each of them separately, with the same faith and conscience as if he had been a contracting party from the beginning, and had made, concluded, and signed, jointly or separately, the same conditions, cessions, contracts, guaranties, and securities, with his Imperial and Catholic Majesty, his Britannic Majesty, and his most Christian Majesty.

This instrument of the admission and accession of the said King of Sardinia shall be ratified by all the contracting parties, and the ratifications, made out in due form, shall be exchanged and mutually delivered at London, within the space of two months, or sooner, if possible, to be reckoned from the day of the signing.

In witness whereof, we the plenipotentiaries of the parties contracting, being on every part furnished with sufficient powers, have signed these presents with our hands, and thereto have put our seals; namely, the plenipotentiaries of his Imperial and Catholic Majesty, of his Britannic Majesty, of his Majesty the King of Sardinia, at London, the  $\frac{28}{5}$  day of  $\frac{\text{October,}}{\text{November,}}$  and the plenipotentiary of his most Christian Majesty at Paris, the day of November, in the year of our Lord 1718.

(L. S.) *C. Provana.*

(L. S.) *C. de la Perrouse.*

(L. S.) *Chris. Penterridter* (L. S.) *Parker, C.*

*ab Adelshausen.* (L. S.) *Sunderland, P.*

(L. S.) *Kent.*

(L. S.) *Jo. Phil. Hoffman.* (L. S.) *Holles Newcastle.*

(L. S.) *Bolton.*

(L. S.) *Roxburghe.*

(L. S.) *Stanbope.*

(L. S.) *J. Craggs.*

*His*

*His Imperial Majesty's Full Powers.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, both Sicilies, Jerusalem, the Indies, Hungary, Bohemia, Dalmatia, Croatia, and Sclavonia, Archduke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, and Wirtemberg, Count of Hapsburgh, Flanders, Tyrol, and Goritia, &c. &c. do make known and signify by these presents to whom it concerns. Whereas we have often been invited by the most friendly exhortations of the most Serene and most Potent Prince George, King of Great Britain, France, and Ireland, Elector of the holy Roman Empire, Duke of Brunswic, to enter with him into those measures whereby peace and quiet among all the Christian Princes throughout Europe might subsist, or be yet more certainly established against such accidents as seem to afford new occasions for wars hereafter, and even now to give them: into which measures we have been informed that the most Serene and most Potent Prince Lewis XV. the King of France, together with the States General of the United Netherlands, are likewise inclined to enter. Hence it is, that from our sincere disposition to the counsels of peace and quiet, we have thought fit to send the Honourable our Imperial and Aulic Counsellor, Assessor of the Belgic Austrian Council, Christopher Penteridter, of Adelshausen, ours and the holy Roman Empire's trusty and beloved, with full power to treat with the Ministers of the aforesaid Princes and with their confederates, of all things which may tend to bring about so beneficial a design, giving him full and entire power, together with our trusty and beloved the Honourable Philip Hoffman, our Resident at London, to whom for this purpose we give equal power, either together, or one of them being hindered, to treat and fully to conclude that affair with the said Ministers: promising, on our Imperial and Royal word, not only to ratify all and singular the things which they or either



of them shall so transact, treat, and conclude in our name, as if they had been done by ourselves, but that we will also deliver our instrument of ratification within the time agreed. In witness whereof, we have signed these presents with our own hand, and have caused them to be sealed with our Imperial Royal seal. Given in our city of Vienna, the 27th of September, in the year 1717, the sixth of our Roman, the fifteenth of our Spanish, and the seventh of our Hungarian and Bohemian reign.

CHARLES.

(L. S.) *Philip Lud. C. of Sinzendorff.*

By the express command of his Sacred Imperial Catholic Royal Majesty.

*John George Bucl.*

*His Britannic Majesty's Full Powers.*

GEORGE R.

GEORGE, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, Duke of Brunswic and Lunenburg, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. to all and singular to whom these present letters shall come, greeting. Whereas, after the conclusion of the treaties of Utrecht and Baden, we perceived so many seeds of war to remain, that the calamities of Europe seemed rather a little quieted and delayed, than wholly extinguished; we instantly applied all our care and thoughts entirely to root out and cut off all occasions of having recourse to arms, by settling on all sides solid and durable conditions of peace. And whereas the war which has arisen between the Emperor of the Romans and the King of Spain rages more and more, and begins to spread more far and wide, we have thereupon redoubled our endeavours, without delay to restore the public tranquillity, disturbed by these commotions. And whereas we understand that the heads of a pacification, which we, together with the most Christian

King, and the Lords the States General of the  
 United Provinces, have thought may be justly and  
 equitably proposed to the parties, either now actually,  
 or liable shortly to be engaged in the war, have been  
 agreeably received by the said Emperor of the Ro-  
 mans, out of his zeal for the public good. And  
 whereas we hope farther, that the rest of the Princes  
 concerned, having duly weighed these conditions, will  
 cheerfully embrace the same; we have thought fit to  
 nominate persons altogether qualified for that charge,  
 to bring so great and beneficial a work to its conclu-  
 sion. Know ye, therefore, that we reposing great  
 trust in the fidelity, prudence, integrity, and diligence  
 of the most Reverend Father in Christ, our right  
 trusty and right entirely beloved counsellor William  
 Archbishop of Canterbury, Primate and Metropolitan  
 of all England; our right trusty and well-beloved  
 counsellor Thomas Lord Parker, Baron of Maccles-  
 field, our High Chancellor of Great Britain; our right  
 trusty and right well-beloved cousin and counsellor  
 Charles Earl of Sunderland, President of our council;  
 our right trusty and right entirely beloved cousins and  
 counsellors, Evelyn Duke of Kingston, Keeper of our  
 Privy Seal; Henry Duke of Kent, Steward of our  
 household; Thomas Duke of Newcastle, Chamberlain  
 of our said Household; Charles Duke of Bolton, Lieu-  
 tenant and Governor General of our kingdom of Ire-  
 land; John Duke of Marlborough, Captain General  
 of our forces; and John Duke of Roxburghe, one of  
 our principal Secretaries of State; our right trusty and  
 right well-beloved cousins and counsellors James Earl  
 of Berkeley, first Commissioner of our Admiralty;  
 William Earl Cowper, Baron of Wingham; and James  
 Earl Stanhope, one of our principal Secretaries of  
 State; and our right trusty and well-beloved counsel-  
 lor James Craggs, Esq; another of our principal Se-  
 cretaries of State; have nominated, made, and con-  
 stituted, as by these presents we do nominate, make,

and constitute them our true, certain, and undoubted Commissioners, Procurators, and Plenipotentiaries, giving and granting to them all, or any three or more of them, all and all manner of leave, power, and authority, and our general as well as special command (provided our general command do not derogate from the special, nor the contrary) to meet, treat, confer, and conclude for us, and in our name, with the minister or ministers, as well on the part of our good brother the Emperor of the Romans, as on the part of our good brother the most Christian King, and also on the part of the Lords the States General of the United Provinces of the Netherlands, having sufficient power thereto on each part, of and upon such conditions of peace, as may be most conducive to quell the commotions of war, and to restore and settle the common tranquillity of Europe, as also upon articles whether secret or separate, and lastly, upon all things which shall seem most proper for promoting and perfecting the said work: and in our name to sign and mutually to deliver and receive what shall be so concluded and agreed, and to do and perform all other things necessary to be done, in as ample manner and form as we ourselves, were we present, would do and perform; engaging and promising, on our Royal word, that whatever shall be concluded by our said Commissioners, Procurators, and Plenipotentiaries, or any three or more of them, we will ratify, approve, and accept it all in the best manner; and that we will never suffer any person to violate the same in whole or in part, or to act contrary thereto. In witness and confirmation of all which, we have caused our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace at Kensington, the 15th day of the month of July, in the year of our Lord one thousand seven hundred and eighteen, and of our reign the fourth.

*The most Christian King's Full Powers.*

LEWIS, by the grace of God, King of France and Navarre, to all who shall see these present letters, greeting. Being willing to contribute, as much as in us lies, to maintain the public tranquillity restored by the treaties of Utrecht and Baden, and the establishment of the peace so necessary to all Europe: being besides desirous to answer the overtures which have been made to us on the part of our most dear and most beloved brother the King of Great Britain, with a design to prevent the consequences of the disturbance lately raised on occasion of the differences which subsist between our most dear and most beloved brother the Emperor of the Romans, and our most dear and most beloved brother and uncle the King of Spain: we having entire confidence in the capacity, experience, zeal, and fidelity for our service, of our beloved and faithful Abbot Dubois, counsellor in ordinary of our council of state, and in the council for foreign affairs, secretary of our cabinet. For these causes, and other good considerations us thereunto moving, by the advice of our most dear and most beloved uncle the Duke of Orleans, Regent, we have commissioned, ordered, and deputed, and by these presents, signed with our hand, do commission, order, and depute the said Abbot Dubois, and have given, and do give him full power, commission, and special order, in the quality of our Plenipotentiary, in our name, to agree with one or more ministers on the part of our said brother the Emperor of the Romans, on that of our said brother and uncle the King of Spain, on that of our said brother the King of Great Britain, and on that of their High Mightinesses our most dear and great friends the States General of the United Provinces of the Netherlands, alike authorized, by powers in due form, to settle, conclude, and sign, with the said ministers, together or separately, such treaties, articles, and conventions, as the said Abbot Dubois shall think good; ordering that he may act on this occasion with the same authority as  
we

we should and might do if we were present thereat in person, even though there should something arise requiring a more special order than is contained in these said presents. Promising, on the faith and word of a King, to approve, confirm, and keep for ever, to perform and execute punctually, all that the said Abbot Dubois shall stipulate, promise, and sign by virtue of this present power, without ever infringing or suffering the same to be infringed, for any cause, or under any pretext whatsoever: as also to dispatch our letters of ratification thereof in due form, to be exchanged within the time that shall be agreed. For such is our pleasure. In witness whereof, we have caused our seal to be put to these presents. Given at Paris, May the 25th, in the year of grace one thousand seven hundred and eighteen, and of our reign the third,

LEWIS,

By the King,

The Duke of Orleans, Regent, present.

*Phelypeaux,*

*The Full Power of his Majesty the King of Sardinia.*

VICTOR Amedeo, by the grace of God, King of Sicily, Jerusalem, and Cyprus, &c. Duke of Savoy, Montferrat, &c. Prince of Piemont, &c. to all those who shall see these presents, greeting. The sincere intention which we have always had to concur, as much as in us lies, to the maintenance of the public tranquillity, and to the settlement of peace in Europe, and to answer the desire of the three Powers on that subject, who have concluded the treaty of the quadruple alliance at London the second of August last past, N. S. and who have invited us to accede thereto, and to accept the conditions of treaty therein contained between his Imperial Majesty and us, determined us thereto as soon as we were in a condition to do it. For this purpose, we trusting entirely in the capacity, experience, zeal, and fidelity for our service, of our dear, well-beloved, and trusty the Count Provana, Knight, Great Cross,

Cross, and Grand Conservator of the Military Order of St. Maurice, and Lazarus, our Gentleman of the Chamber, and first Secretary at War; and of the Count de la Perouse, Counsellor of State, Knight of Honour to the Senate of Savoy, and our Envoy extraordinary to his Britannic Majesty; have chosen, nominated, and deputed, and by these presents do chuse, nominate, and depute them to be our Plenipotentiaries; and have given, and do give them full power, commission, and special order, in our name, and in the said quality of our Plenipotentiaries, both of them jointly, or one of them alone, in case of sickness or other hinderance of the other, to accede to the abovesaid treaty of quadruple alliance of the said second day of August, to which we do accede from this present time; and to promise, as we do promise, to observe the same, and the conventions of treaty therein contained between his Imperial Majesty and us; and to that end to sign the act which shall be made thereupon with the ministers, or the minister, of the said three Powers, jointly or separately, as it shall be agreed: as also to make, conclude, and sign the articles, treaties, and conventions, which they shall think good. Ordering that they may act, on the occasions aforesaid, with the same authority with which we should and might act if we were present in person, even though there should something arise requiring a more special order than is contained in these presents; promising, on the faith and word of a King, to observe, and cause inviolably to be observed, all which shall be done, agreed, regulated, and signed, by the said Counts Provana and de la Perouse, our Plenipotentiaries, or by one of them, in case of sickness or hinderance of the other, without infringing, or suffering the same to be infringed, directly or indirectly, for any cause, or under any pretext whatsoever: as also to cause our letters of ratification to be dispatched in due form, to be exchanged within the time that shall be agreed. In witness whereof, we have signed these presents, caused them to be countersigned by the Marquis del Borgo,  
Secretary

Secretary of our order, our Minister and principal Secretary of State for foreign affairs, and have caused our privy seal to be put thereunto. Given at our castle of Rivoles, the 17th of October, in the year of grace 1718, and of our reign the fifth.

V. AMEDEO.

(L. S.)

*Del Borge.*

*His Imperial Majesty's Ratification of the Treaty for settling the public Peace.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, Bohemia, Dalmatia, Croatia, and Sclavonia, Archduke of Austria, Duke of Burgundy, Brabant, Milan, Mantua, Styria, Carinthia, Carniola, Limburg, Luxemburg, Gelderland, the Upper and Lower Silesia, and Wurtemberg, Prince of Suabia, Marquis of the Holy Roman Empire, of Burgaw, Moravia, the Upper and Lower Lusatia, Count of Habsburg, Flanders, Tirol, Ferret, Kyburg, Goritia, and Namur, Landgrave of Alsatia, Lord of the Marck of Sclavonia, of Port Naon, and of Salines, &c. do hereby make known and attest to all whom it doth or in anywise may concern.

Whereas, by the Divine assistance, the following treaties of peace and alliance between us and the most Serene and most Potent Prince, George, King of Great Britain and Ireland, Duke of Brunswic and Lunenburg, Elector of the Holy Roman Empire, as also the most Serene and most Potent Prince, Lewis XV. King of France, and the High and Mighty States General of the United Netherlands, were on the 2d day of August, this present year 1718, concluded and signed at London, by the underwritten Plenipotentiaries on all sides, furnished for that purpose with sufficient orders, hereto annexed, to be ratified by all of us respectively within the space of two months, the tenor of which is as follows:

In the Name of the most Holy and Undivided Trinity, &c.

We having read and fully examined the articles of those treaties and conventions, have ratified and approved all and each of them entirely, as by virtue of these presents we do approve and ratify all and singular the same, and generally all that was so transacted, concluded, and signed; promising, on our Imperial, Royal, and Archducal word, firmly and religiously to observe and perform them in every thing, and never to suffer them to be infringed by us or ours ever at any time. In witness whereof, we have subscribed this present instrument of ratification with our own hand, and in confirmation thereof caused our usual seal to be affixed thereto. Vienna, the 14th day of September, in the year of our Lord one thousand seven hundred and eighteen, the seventh of our Roman, the fifteenth of our Spanish, and the eighth of our Hungarian and Bohemian reigns.

CHARLES.

*Philip Lud. Count Sinzendorff.*

By the express command of his Sacred Imperial and Catholic Royal Majesty.

*John George Busl.*

*His Imperial Majesty's Ratification of the separate and secret Articles.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, Bohemia, Dalmatia, Croatia, and Sclavonia, Archduke of Austria, Duke of Burgundy, Brabant, Milan, Mantua, Styria, Carinthia, Carniola, Limburg, Luxemburg, Gelderland, as also of the Upper and Lower Silesia, and of Wirtemberg, Prince of Swabia, Marquis of the Holy Roman Empire, of Burgaw, Moravia, Upper and Lower Lusatia, Count of Habsburg, Flanders, Tyrol, Ferret,



Ferret, Kyburg, Goritia, and Narnur, Landgrave of Alfatia, Lord of the Marck of Sclavonia, of Port Naon, and of Salines, &c. make known to all and every one whom it may concern. Whereas, for the execution of the alliance this day concluded and signed at London by our and their Plenipotentiaries, with the most Serene and most Potent Kings of Great Britain and France, and the High and Mighty States General of the United Netherlands, certain separate and secret articles likewise were agreed upon, the tenor whereof is,

*Separate and secret Articles.*

I. Whereas, &c.

We have entirely ratified and approved all and singular the aforesaid articles so concluded and signed by the Plenipotentiaries in virtue of their order, in like manner as the treaty of alliance itself, part of which they are deemed to make, as by virtue of these presents we do approve and ratify all and singular the same, promising, upon our Imperial, Royal, and Archducal word, that we will sacredly and religiously perform and observe the said articles, and each of them. In witness whereof, we have signed this present instrument of ratification with our own hand, and thereto affixed our seal. Vienna, the 14th day of September, in the year of our Lord 1718, the seventh of our Roman, the fifteenth of our Spanish, and the eighth of our Hungarian and Bohemian reigns.

CHARLES.

*Philip Lud. Count Sinzendorff.*

By the express command of his Sacred Imperial and Catholic Royal Majesty.

*John George Buel.*

*His*

*His Imperial Majesty's Ratification of the separate Article, N° 1.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, Bohemia, Dalmatia, Croatia, and Sclavonia, Archduke of Austria, Duke of Burgundy, Brabant, Milan, Mantua, Styria, Carinthia, Carniola, Limburg, Luxemburg, Gelderland, as also of the Upper and Lower Silefia, and of Wurtemberg, Prince of Swabia, Marquis of the Holy Roman Empire, of Burgaw, Móravia, Upper and Lower Lusatia, Count of Habsburg, Flanders, Tyrol, Ferret, Kyburg, Goritia, and Namur, Landgrave of Alsatia, Lord of the Marck of Sclavonia, of Port Naon, and of Salines, &c. make known to those whom it doth concern. Whereas, besides the treaty made this day at London, between us and the most Serene and most Potent Kings of Great Britain and France, and besides certain separate and secret articles concerning the execution of the said treaty, and making part thereof, the following separate article was likewise made, by virtue whereof those things which have been agreed, concluded, and signed between us, the three contractors in the said treaty of alliance and secret articles, are ratified and confirmed, even in case the High and Mighty States General of the United Netherlands, contrary to the hope and better confidence reposed in them, should not be willing to accede to the said treaties, the tenor of which is,

*Separate Article.*

Whereas the treaty, &c.

We have and do entirely ratify and approve the things which are contained, established, and provided in this separate article, in like manner as if they were inserted in the treaty itself; for the observation and execution whereof we do engage our Imperial, Royal, and Archducal word, by virtue of these presents, signed with

with our name, and sealed with our seal. Vienna, the 14th day of the month of September, in the year of our Lord 1718, the seventh of our Roman, the fifteenth of our Spanish, and the eighth of our Hungarian and Bohémian reigns.

CHARLES.

*Phil. Lud. Count Sinzendorf.*

By the express command of his Sacred Imperial and Catholic Royal Majesty.

*John George Buol.*

*His Imperial Majesty's Ratification of the separate Article, N° 2.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, Bohemia, Dalmatia, Croatia, and Slavonia, Archduke of Austria, Duke of Burgundy, Brabant, Milan, Mantua, Styria, Carinthia, Carniola, Limburg, Luxemburg, Gelderland, as also of the Upper and Lower Silesia, and of Wurtemberg, Prince of Swabia, Marquis of the Holy Roman Empire, of Burgaw, Moravia, Upper and Lower Lusatia, Count of Habsburg, Flanders, Tyrol, Ferret, Kyburg, Goritia, and Namur, Landgrave of Alfatia, Lord of the Marck of Slavonia, of Port Naon, and of Salines, &c. make known to all whom it doth concern. Whereas to the treaty made this day at London, between us and the most Serene and most Potent Kings of Great Britain and France, as also the High and Mighty the States General of the United Netherlands, amongst others also one separate article was added, which treats about the pay of the Swiss garrisons to be put in the places therein expressed, the tenor of which follows:

*Separate Article.*

But if, &c.

We do entirely approve and ratify this article, as making

making a part of the principal treaty. In witness and confirmation whereof, we have set our name and seal to these presents. Vienna, the 14th day of the month of September, in the year of our Lord 1718, the seventh of our Roman, the fifteenth of our Spanish, and the eighth of our Hungarian and Bohemian reigns.

CHARLES.

*Philip Lud. Count Sinzendorf.*

By the express command of his Sacred Imperial and Catholic Royal Majesty.

*John George Buol.*

*His Imperial Majesty's Ratification of the separate Article, N<sup>o</sup> 3.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, Bohemia, Dalmatia, Croatia, and Slavonia, Archduke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Milan, Mantua, Limburg, Luxemburg, Gelderland, as also of the Upper and Lower Silesia, and of Wurtemberg, Prince of Swabia, Marquis of the Holy Roman Empire, of Burgaw, Moravia, Upper and Lower Lusatia, Count of Habsburg, Flanders, Tyrol, Ferret, Kyburg, Goritia, and Namur, Landgrave of Alsatia, Lord of the Marck of Slavonia, of Port Naon, and of Salines, &c. make known and testify by these presents. Whereas before the signing the treaty of alliance made the 2d day of the month of August, with the most Serene and most Potent Kings of Great Britain and France, as also with the High and Mighty States General of the United Netherlands, the following article was proposed to us.

*Separate Article.*

Whereas in the treaty of alliance, &c.

That we have ratified and approved, as we do hereby  
VOL. I. X ratify

ratify and approve the same. In witness whereof, we have caused these presents, signed by our own hand, to be sealed with our seal. Vienna, the 14th day of the month of September, in the year of our Lord 1718, the seventh of our Roman, the fifteenth of our Spanish, and the eighth of our Hungarian and Bohemian reigns.

CHARLES.

*Philip Lud. Count Sinzendorf.*

By the express command of his Sacred Imperial and Catholic Royal Majesty.

*John George Buol.*

*His Imperial Majesty's Ratification of the separate Article, N° 4.*

WE Charles the Sixth, by the Divine clemency elected Emperor of the Romans, always August, King of Germany, Spain, Hungary, Bohemia, Dalmatia, Croatia, and Sclavonia, Archduke of Austria, Duke of Burgundy, Brabant, Milan, Mantua, Styria, Carinthia, Carniola, Limburg, Luxemburg, Gelderland, as also of the Upper and Lower Silesia, and of Wurtemberg, Prince of Swabia, Marquis of the Holy Roman Empire, of Burgaw, Moravia, Upper and Lower Lusatia, Count of Habsburg, Flanders, Tyrol, Ferret, Kyburg, Goritia, and Namur, Landgrave of Alfatia, Lord of the Marck of Sclavonia, of Port Naon, and of Salines, &c. make known and testify by these presents. Whereas before the signing the treaty of alliance made the 2d day of the month of August, with the most Serene and most Potent Kings of Great Britain and France, as also with the High and Mighty States General of the United Netherlands, the following article was proposed to us:

*Separate Article.*

Whereas some of the titles, &c.

That we have ratified and approved, as we do here-  
by

by ratify and approve the same. In witness whereof, we have caused these presents, signed by our own hand, to be sealed with our seal. Vienna, the 14th day of the month of September, in the year of our Lord 1718, the seventh of our Roman, the fifteenth of our Spanish, and the eighth of our Hungarian and Bohemian reigns.

CHARLES.

*Philip Lud. Count Sinzendorf.*

By the exprefs command of his Sacred Imperial and Catholic Royal Majesty.

*John George Buol.*

*The most Christian King's Ratification of the Treaty, and of Three of the separate Articles, N<sup>o</sup> 2, 3, 4.*

LEWIS, by the grace of God, King of France and Navarre, to all who shall see these presents, greeting. Whereas our beloved and faithful the Abbot du Bois, counsellor in ordinary of our Council of State, and of the Council for foreign affairs, Secretary of our Cabinet, and our Plenipotentiary, has, by virtue of full powers which we gave him for that purpose, concluded, agreed, and signed at London, the 2d of this present month of August, with M. Christopher Pentteridter, of Adelshausen, Imperial Aulic Counsellor, and Assessor of the Council of the Austrian Netherlands, and John Philip Hoffman, Resident of our most dear and most beloved brother the Emperor of the Romans at London, his Plenipotentiaries, furnished in like manner with his full powers; and with William Archbishop of Canterbury, Primate and Metropolitan of all England; Thomas Lord Parker, Baron of Macclesfield, Lord High Chancellor of our most dear and most beloved brother the King of Great Britain; Charles Earl of Sunderland, President of the Council of our said brother; Evelyn Duke of Kingston, Lord Privy Seal; Henry Duke of Kent, Lord High Steward of the Household of our said brother; Thomas Duke of Newcastle, Lord Chamberlain of

the Household of our said brother; Charles Duke of Bolton, Lord Lieutenant and Governor General of the Kingdom of Ireland; John Duke of Roxburghe, one of the principal Secretaries of State of Great Britain; James Earl of Berkeley, first Commissioner of the Admiralty; and James Craggs, likewise one of the principal Secretaries of State of Great Britain, furnished in like manner with his full powers, the treaty of alliance, and the separate articles, the tenor whereof follows.

In the name, &c.

We approving the above-mentioned treaties of alliance and separate articles in all and every the points therein contained, have by the advice of our most dear and most beloved uncle the Duke of Orleans, Regent of our kingdom, as well for us, as for our heirs, successors, kingdoms, countries, territories, lordships, and subjects, accepted, approved, ratified, and confirmed, and by these presents, signed with our hand, do accept, approve, ratify, and confirm the same; and promise, on the word and faith of a King, to keep and observe the whole inviolably, without ever acting one way or other to the contrary, directly or indirectly, in any kind or manner whatever. In witness whereof, we have caused our seal to be affixed to these presents. Given at Paris, the 30th of August, in the year of grace one thousand seven hundred and eighteen, and of our reign the third.

LEWIS.

By the King.

The Duke of Orleans, Regent, present.

*Phelypeaux.*

*The most Christian King's Ratification of the separate and secret Articles, and of one of the separate Articles, N° 1.*

LEWIS, by the grace of God, King of France and Navarre, to all who shall see these presents, greeting.

ing. Whereas our beloved and faithful the Abbot du Bois, counsellor in ordinary of our Council of State, and of the Council for foreign affairs, Secretary of our Cabinet, and our Plenipotentiary, has, by virtue of full powers which we gave him for that purpose, concluded, agreed, and signed at London, the 2d of this present month of August, with M. Christopher Penterridter, of Adelshausen, Imperial Aulic Counsellor, and Assessor of the Council of the Austrian Netherlands, and John Philip Hoffman, Resident of our most dear and most beloved brother the Emperor of the Romans at London, his Plenipotentiaries, furnished in like manner with his full powers; and with William Archbishop of Canterbury, Primate and Metropolitan of all England; Thomas Lord Parker, Baron of Macclesfield, Lord High Chancellor of our most dear and most beloved brother the King of Great Britain; Charles Earl of Sunderland, President of the Council of our said brother; Evelyn Duke of Kingston, Lord Privy Seal; Henry Duke of Kent, Lord High Steward of the Household of our said brother; Thomas Duke of Newcastle, Lord Chamberlain of the Household of our said brother; Charles Duke of Bolton, Lord Lieutenant and Governor General of the Kingdom of Ireland; John Duke of Roxburghe, one of the principal Secretaries of State of Great Britain; James Earl of Berkeley, first Commissioner of the Admiralty; and James Craggs, likewise one of the principal Secretaries of State of Great Britain, Plenipotentiaries of our said brother the King of Great Britain, furnished in like manner with his full powers, separate and secret articles, the tenor whereof follows.

*Separate Articles, &c.*

We approving the above-mentioned separate and secret articles, in all and every the points therein contained, have by the advice of our most dear and most beloved uncle the Duke of Orleans, Regent of our kingdom, as well for us as for our heirs, successors,



kingdoms, countries, territories, lordships and subjects, accepted, approved, ratified, and confirmed, and by these presents, signed with our hand, do accept, approve, ratify, and confirm the same, and promise, on the word and faith of a King, to keep and observe the whole inviolably, without ever acting one way or other to the contrary, directly or indirectly, in any kind or manner whatsoever. In witness whereof, we have caused our seal to be affixed to these presents. Given at Paris, the 30th of August, in the year of grace one thousand seven hundred and eighteen, and of our reign the third.

LEWIS.

By the King.

The Duke of Orleans, Regent, present.

*Pbelypeaux.*

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*The Treaty of Peace and Alliance between the Emperor Charles VI. and George II. King of Great Britain, in which the States of the United Provinces of the Netherlands are included. Made at Vienna, the 16th of March, 1731.*

In the name of the most Holy and Undivided Trinity.  
Amen.

TO all to whom it does or may any way appertain. Be it known, that the most Serene and most Potent Prince and Lord, Charles VI. Emperor of the Romans, King of Spain, of both the Sicilies, Hungary, and Bohemia, Archduke of Austria, &c. &c. and the most Serene and most Potent Prince and Lord, George II. King of Great Britain, France, and Ireland, together with the High and Mighty Lords the States General of the United Provinces of the Netherlands, having taken into consideration the present unsettled

settled and perplexed state of affairs in Europe, seriously bethought themselves of finding proper methods, not only to prevent those evils which must naturally arise from the cavils and divisions that were daily increasing, but also to establish the public tranquillity upon a sure and lasting foundation, and in as easy and speedy a manner as it was possible: for this end their said Majesties, and the said States General, being fully animated with a sincere desire to promote so wholesome a work, and to bring it to perfection, judged it expedient to agree among themselves upon certain general conditions, which might serve as the basis for reconciling the animosities and settling the differences of the chief Princes of Europe, which, as they are heightened among themselves, do greatly endanger the public tranquillity.

For which purpose, the most High Prince and Lord, Eugene, Prince of Savoy and Piedmont, actual Privy Counsellor to his Sacred Imperial and Catholic Majesty, President of the Council of the Austrian Netherlands at Vienna, and his Lieutenant General, Major General of the holy Roman Empire, and Vicar General of the kingdoms and states of the said Empire in Italy, Colonel of a regiment of dragoons, Knight of the Golden Fleece; and also the most Illustrious and most Excellent Lord, Philip Lewis, Hereditary Treasurer of the holy Roman Empire, Count of Zinzendorf, Free Baron of Ernstbrunn, Lord of the Dynasties of Gfoll, Upper Selowitz, Porlitz, Sabor, Mulsig, Loos-zan, and Dreskau, Burgrave of Rheineck, Hereditary Master of the Horse in Upper and Lower Austria, Knight of the Golden Fleece, Chamberlain to his Sacred Imperial Majesty, actual Privy Counsellor, and first Chancellor of the Court, &c. and also the most Illustrious and most Excellent Lord, Gundacker Thomas, Count of the holy Roman Empire, by the titles of Staremburg, Schatomburg, and Waxemburg, Lord of the domains of Eschelberg, Liechtenhagen, Roteneg, Freystadt, Haus, Oberwalse, Sefsenberg,

fenberg, Bodendorf, Hatwan, Knight of the Golden Fleece, actual Privy Counsellor to his Sacred Imperial and Catholic Majesty, Hereditary Marshal of the Archduchy of Upper and Lower Austria, on the part of his Sacred Imperial and Catholic Majesty; and Thomas Robinson, Esq; Member of the Parliament of Great Britain, and Minister of his Majesty of Great Britain to his said Imperial and Catholic Majesty, on the part of his Sacred Royal Majesty of Great Britain: and on the part of the High and Mighty States of the United Provinces of the Netherlands; being all furnished with full powers, after they had held conferences together, and exchanged their credential letters and full powers, agreed upon the following articles and conditions.

I. That there shall be from this time forward, between his Sacred Imperial Catholic Majesty, his Sacred Royal Majesty of Great Britain, the heirs and successors of both, and the High and Mighty Lords the States General of the United Provinces of the Netherlands, a firm, sincere, and inviolable friendship, for the mutual advantage of the provinces and subjects belonging to each of the contracting Powers; and that this peace be so established, that each of the contractors shall be obliged to defend the territories and subjects of the others; to maintain the peace, and promote the advantages of the other contractors as much as their own; and to prevent and avert all damages and injuries of every kind whatsoever, which might be done to them. For this end, all the former treaties or conventions of peace, friendship, and alliance, shall have their full effect, and shall preserve in all and every part their full force and virtue, and shall even be looked upon as renewed and confirmed by virtue of the present treaty, except only such articles, clauses, and conditions, from which it has been thought fit to derogate by the present treaty. And moreover, the said contracting parties have expressly obliged themselves, by virtue of this present article, to a mutual defence,

defence, or, as it is called, guaranty of all the kingdoms, states, and territories, which each of them possess, and even of the rights and immunities each of them enjoys, or ought to enjoy, in such manner, that they have mutually declared and promised to one another, that they will with all their forces oppose the enterprizes of all and every one who shall (perhaps contrary to expectation) undertake to disturb any of the contractors, or their heirs and successors, in the peaceable possession of their kingdoms, states, provinces, lands, rights, and immunities, which each of the contracting parties doth or ought to enjoy, at the time of the conclusion of the present treaty.

II. Moreover, as it has been frequently remonstrated on the part of his Imperial and Catholic Majesty, that the public tranquillity could not reign and last long, and that no other sure way could be found out for maintaining the balance of Europe, than a general defence, engagement, and eviccion, or, as they call it, a guaranty for the order of his succession, as it is settled by the Imperial declaration of 1713, and received in the most Serene House of Austria; his Sacred Royal Majesty of Great Britain, and the High and Mighty Lords the States of the United Provinces of the Netherlands, moved thereto by their ardent desire to secure the public tranquillity, and to preserve the balance of Europe, as also by a view of the terms agreed upon in the following articles, which are exceedingly well adapted to answer both purposes, do, by virtue of the present article, take upon them the general guaranty of the said order of succession, and oblige themselves to maintain it as often as there shall be occasion, against all persons whatsoever; and consequently they promise, in the most authentic and strongest manner that can be, to defend, maintain, and (as it is called) to guaranty, with all their forces, that order of succession which his Imperial Majesty has declared and established by a solemn act of the 19th of April, 1713, in manner of a perpetual,

tual, indivisible, and inseparable feoffment of trust, in favour of primogeniture, for all his Majesty's heirs of both sexes; of which act there is a copy annexed at the end of this treaty: which said act was readily and unanimously received by the orders and estates of all the kingdoms, archduchies, principalities, provinces, and domains, belonging by right of inheritance to the most Serene House of Austria; all which have humbly and thankfully acknowledged it, and transcribed it into their public registers, as having the force of a law and pragmatic sanction, which is to subsist for ever in full force. And whereas, according to this rule and order of succession, if it should please God of his mercy to give his Imperial and Catholic Majesty issue male, then the eldest of his sons, or, he being dead before, the eldest son's eldest son; and in case there be no male issue, on his Imperial and Catholic Majesty's demise, the eldest of his daughters, the most Serene Archduchesses of Austria, by the order and right of seniority, which has always been indivisibly preserved, is to succeed his Imperial Majesty in all his kingdoms, provinces, and domains, in the same manner as he now possesses them: nor shall they at any time, upon any account, or for any reason whatever, be divided or separated in favour of him, or her, or them who may be of the second, the third, or more distant branch. And this same order and indivisible right of seniority is to be preserved in all events, and to be observed in all ages, as well in his Imperial Majesty's male issue, if God grants him any, as in his Imperial Majesty's female issue, after the extinction of the male heirs; or, in short, in all cases wherein the succession of the kingdoms, provinces, and hereditary dominions of the most Serene House of Austria shall be called in question. For this purpose, his Majesty of Great Britain, and the High and Mighty Lords the States General of the United Provinces of the Netherlands, promise and engage to maintain him, or her, who ought to succeed according to the rule and order

order above set forth, in the kingdoms, provinces, or domains of which his Imperial Majesty is now actually in possession; and they engage to defend the same for ever against all such as shall perhaps presume to disturb that possession in any manner whatsoever.

III. And forasmuch as it hath been often represented to his Imperial and Catholic Majesty, in terms full of friendship, on the part of his Sacred Royal Majesty of Great Britain, and the High and Mighty Lords the States General of the United Provinces, that there was no surer nor more speedy method for establishing the public tranquillity so long desired, than by rendering the succession of the dutchies of Tuscany, Parma, and Placentia, designed for the most Serene the Infante Don Carlos, yet more secure by the immediate introduction of 6000 Spanish soldiers into the strong places of those dutchies; his said Sacred Imperial and Catholic Majesty, desiring to promote the pacific views and intentions of his Britannic Majesty, and the High and Mighty States General of the United Netherlands, will by no means oppose the peaceable introduction of the said 6000 Spaniards into the strong places of the dutchies of Tuscany, Parma, and Placentia, in pursuance of the above-mentioned engagements entered into by his said Britannic Majesty, and by the States General. And whereas, to this end, his Imperial and Catholic Majesty judges the consent of the Empire necessary, he promises, at the same time, that he will use his utmost endeavours to obtain the said consent within the space of two months, or sooner, if possible. And to obviate as readily as may be the evils which threaten the public peace, his Imperial and Catholic Majesty moreover promises, that, immediately after the mutual exchange of the ratifications, he will notify the consent which he, as head of the Empire, has given to the said peaceable introduction, to the Minister of the Great Duke of Tuscany, and to the Minister of Parma residing at his court, or wherever else it shall be thought proper.

proper. His said Imperial and Catholic Majesty likewise promises and affirms, that he is so far from any thought of raising, or causing any hinderance, directly or indirectly, to the Spanish garrisons being admitted into the places aforesaid, that on the contrary he will interpose his good offices and authority for removing any unexpected obstruction or difficulty that may oppose the said introduction, and consequently that the 6000 Spanish soldiers may be introduced quietly, and without any delay, in the manner aforesaid, into the strong places as well of the great dutchy of Tuscany, as of the dutchies of Parma and Placentia.

IV. That therefore all the articles thus agreed to, with the irrevocable consent of the contracting parties, be so firmly and reciprocally established, and so entirely decided, that it shall not be lawful for the contracting parties to deviate from them in any wise; meaning as well those which are to be put in execution without delay, and immediately after the exchange of the ratifications, as those which ought to remain for ever inviolable,

V. Whereas, for attaining to the end which the contracting parties in this treaty propose to themselves, it has been found necessary to pluck up every root of division and dissension, and therefore that the antient friendship which united the said contracting parties, may not only be renewed, but knit closer and closer every day, his Imperial Catholic Majesty promises, and, by virtue of the present article, binds himself to cause all commerce and navigation to the East Indies to cease immediately and for ever in the Austrian Netherlands, and in all the other countries which in the time of Charles II. Catholic King of Spain, were under the dominion of Spain; and that he will *bonâ fide* act in such manner, that neither the Ostend company, nor any other, either in the Austrian Netherlands, or in the countries which, as is above said, were under the dominion of Spain in the time of the late

late Catholic King Charles II. shall at any time, directly or indirectly, contravene this rule established for ever. Excepting that the Ostend company may send, for once only, two ships, which shall sail from the said port to the East Indies, and from thence return to Ostend, where the said company may, when they think fit, expose the merchandizes so brought from the Indies to sale. And his Sacred Royal Majesty of Great Britain, and the High and Mighty States General of the United Provinces, do likewise promise on their part, and oblige themselves, to make a new treaty with his Imperial Majesty without delay, concerning commerce and the rule of imposts, commonly called a Tariff, as far as relates to the Austrian Netherlands, and agreeable to the intention of the 26th article of the treaty, commonly called (by reason of the limits therein settled) the Barrier. And for this purpose the contracting parties shall immediately name commissioners, who shall meet at Antwerp within the space of two months, to be computed from the day of signing the present treaty, to agree together upon every thing that regards the entire execution of the said barrier treaty, which was concluded at Antwerp the 17<sup>th</sup> day of November, anno 1715, and of the convention since signed at the Hague the  $\frac{1}{2}$ <sup>1</sup>/<sub>2</sub> day of December, 1718; and particularly to conclude a new treaty there, as has been said, concerning commerce, and the rate of imposts, as far as relates to the Austrian Netherlands, and according to the intention of the aforesaid 26th article. It is moreover agreed, and solemnly stipulated, that every thing which it hath been thought fit to leave to the commissioners who are to meet at Antwerp, shall be brought to a final issue, with all the justice and integrity, as soon as possible, and in such manner that the last hand may be put to that work, at least within the space of two years.

VI. As the examination and discussion of the other points which remain to be discussed, either between the contracting parties, or any of their confederates, require



require much more time than can be spared in this critical situation of affairs, therefore, to avoid all delays, which might be too prejudicial to the common welfare, it is covenanted and agreed to declare mutually, that all the treaties and conventions which any of the said contracting Powers have made with other Princes and States, shall subsist as they now are, excepting only so far as they may be contrary to any of the points regulated by the present treaty; and moreover, that all the disputes which are actually between the said contracting parties, or any of their allies, shall be amicably adjusted as soon as possible; and in the mean time the contracting parties shall mutually endeavour to prevent any of those who have differences, from having recourse to arms to support their pretensions.

VII. To take away all manner of doubt from the subjects of the King of Great Britain, and the Lords the States General, touching their commerce in the kingdom of Sicily, his Imperial and Catholic Majesty has been pleased to declare, that from this time forward they shall be treated in the same manner, and upon the same foot as they were or ought to have been treated in the time of Charles II. King of Spain, of glorious memory, and as any nation in the strictest friendship has been usually treated.

VIII. There shall be included in this treaty of peace, all those who, within the space of six months after its ratifications are exchanged, shall be proposed by either party, and by common consent.

IX. This present treaty shall be approved and ratified by his Imperial and Catholic Majesty, by his Sacred Royal Majesty of Great Britain, and by the High and Mighty Lords the States General of the United Netherlands, and the ratifications shall be given and exchanged at Vienna, within six weeks, to be computed from the day of signing.

In witness and confirmation whereof, as well the  
Imperial

Imperial Commissioners, in quality of Ambassadors Extraordinary and Plenipotentiaries, as the Minister of the King of Great Britain, equally furnished with full powers, have signed this treaty with their own hands, and sealed it with their seals. Done at Vienna in Austria, the 16th day of March, in the year of our Lord 1731.

(L. S.) *Eugene of Savoy.*

(L. S.) *Philip Lewis of Zinzendorf.*

(L. S.) *Gundacker Thomas of Staremberg.*

(L. S.) *Thomas Robinson.*

*Separate Article.*

THOUGH by the first article of the treaty concluded this day between his Imperial and Catholic Majesty, his Sacred Royal Majesty of Great Britain, and the Lords the States General of the United Provinces of the Netherlands, the contracting parties did mutually promise, among other things, that they would with all their forces oppose the enterprizes of any person or persons who should (perhaps contrary to expectation) offer to give disturbance to any of the contracting parties, their heirs or successors, in the peaceable possession of their kingdoms, dominions, provinces, countries, rights or immunities, which each of the contractors doth or ought to enjoy at the time of the conclusion of the present treaty; the said contracting parties have nevertheless agreed among themselves, by virtue of the present separate article, that if it should happen, perhaps, in process of time, that the Turks should offer to disturb his Sacred Imperial and Catholic Majesty, his heirs and successors, in the quiet possession of the kingdoms, dominions, provinces, countries, rights, or immunities, which his Imperial Majesty actually doth, or ought to enjoy, the guaranties stipulated in the said first article are not to be extended to this case now mentioned.

This separate article shall have the same force, &c.

*Declaration*

*Declaration concerning the Spanish Garrisons, which are to be introduced into the strong Places of Tuscany, Parma, and Placentia.*

FORASMUCH as his Sacred Imperial Catholic Majesty was desirous to have all manner of security, before he would consent on his part to the 3d article of the treaty concluded this day, which regulatés the immediate introduction of the Spanish garrisons into the strong places of Tuscany, Parma, and Placentia, agreeably to the real views and intentions contained in the promises made and signed in the treaty of Seville, partly on the 9th, and partly on the 21st day of November, anno 1729; his Sacred Royal Majesty of Great Britain, and the High and Mighty Lords the States General of the United Netherlands, have not only exhibited those promises *bonâ fide*, as they are here subjoined, to his Sacred Imperial and Catholic Majesty, but moreover they have not hesitated to affirm, in the strongest manner, that when they agreed to introduce the Spanish garrisons into the strong places of Tuscany, Parma, and Placentia, they had no intention to depart in the least from those things which had been settled by the 5th article of the Quadruple Alliance, concluded at London <sup>July 22</sup>/<sub>August 2</sub>, 1718, either with regard to the rights of his Imperial Majesty, and the Empire, or to the security of the kingdoms and states which his Imperial Majesty actually possesseth in Italy, or lastly, to the preservation of the quiet and dignity of those who were then the lawful possessors of those dutchies. For this purpose, his Royal Majesty of Great Britain, and the High and Mighty Lords the States General of the United Netherlands, have declared, and do declare, that they are entirely disposed and ready to give his Imperial and Catholic Majesty, as they do by these presents, all the strong and solemn promises, evictions, or, as they are called, guaranties, that can be desired, as well in relation to the points above-mentioned, as in relation to all the other

other points still contained in the said 5th article of the treaty called Quadruple.

This present declaration shall have the same force, &c.

*Declaration concerning the Succession of Parma.*

IT being apprehended that the unexpected death of the late most Serene Prince, Anthony Farnese, in his life-time Duke of Parma and Placentia, might in some sort retard or obstruct the conclusion of this treaty, it having happened at the very time when it was upon the point of being concluded; his Imperial and Catholic Majesty doth, by virtue of this present act, declare and engage, that in case the hopes of the pregnancy of the most Serene Dutchess Dowager, wife of the said most Serene Duke Anthony whilst he lived, do not prove abortive, and the said Dutchess Dowager should bring a man-child into the world, all that has been regulated, as well by the 3d article of the treaty concluded this day, as by the act of declaration above recited, shall take place, as much as if the unforeseen death of the Duke had not happened: but that if the hopes conceived of the pregnancy of the said Dutchess Dowager should vanish, or she should bring a posthumous daughter into the world, then his said Imperial Majesty declares, and binds himself, that instead of introducing the Spanish soldiers into the strong places of Parma and Placentia, the most Serene Infante of Spain, Don Carlos, shall be put into the possession of the said dutchies, in the same manner as was agreed upon with the court of Spain, by consent of the Empire, and pursuant to the letters of eventual investiture, the tenor of which shall be looked upon as repeated and confirmed in all its articles, clauses, and conditions; in such manner notwithstanding, that the said Infante of Spain, as also the court of Spain, shall first of all fulfil the former treaties, wherein the Emperor is a contracting party with the consent of the Empire. And whereas upon the decease of the said Duke Anthony Farnese, the

Imperial troops were not put into the strong places of Parma and Placentia, with a view to hinder the eventual succession, as it was secured to the most Serene Infante Don Carlos by the treaty of London, commonly called the Quadruple Alliance, but only to prevent any enterprize which might have disturbed the tranquillity of Italy; his Sacred Imperial and Catholic Majesty perceiving, that by the treaty concluded this day, the public tranquillity is restored and confirmed as far as possible, he doth again declare, that in putting his troops into the strong places of Parma and Placentia, he had no other intention than to support, as far as lay in his power, the succession of the most Serene Infante Don Carlos, as it is secured to the said Infante by the said treaty of London: and that, very far from opposing the said succession, in case the male branch of the House of Farnese should be utterly extinct; or from opposing the introduction of the Spanish garrisons, if the Dutchess Dowager should happen to bring a posthumous son into the world; his Imperial Majesty doth on the contrary declare and promise, that the said forces shall by his express orders be withdrawn, either that the said Infante Don Carlos may be put into possession of the said dutchies, according to the tenor of the letters of eventual investiture, or that the Spanish garrisons may be introduced peaceably, and without any resistance whatever; which said garrisons are to serve for no other use than to secure the execution of the promise made to him, in case the male branch of the House of Farnese should be utterly extinct.

The present declaration shall have the same force, &c.

*Declaration signed by the Ministers of the King of Great Britain, and the Lords the States General, by virtue of their Full Powers.*

WHEREAS among several articles agreed upon in the treaty of Seville, on the 9th and 21st day of  
November,

November, 1729, in favour of the Great Duke of Tuscany, as well as of the dutchies of Parma and Placentia, it was likewise provided, that as soon as the most Serene Infante of Spain, Don Carlos, or the Prince to whom his rights may devolve, should be in peaceable possession of the succession designed for him, and secure from any insults of enemies, and against any just cause of fear, then his Royal Catholic Majesty should presently give orders for withdrawing his own troops out of the said dutchies, but not those belonging to the Infante Don Carlos, or to the Prince upon whom, as above-mentioned, his rights may devolve.

The under-written Ministers of the King of Great Britain, and the Lords the States General, do, by virtue of this present instrument, declare, that as his said Royal Majesty of Great Britain, and the High and Mighty Lords the States General of the United Netherlands, are always accustomed to fulfil what they have promised, so it is still their meaning and intention, that in the cases aforesaid, the Spanish troops shall be immediately withdrawn from the dutchies of Tuscany, Parma, and Placentia.

This declaration is to be kept secret, but is, nevertheless, to be of the same force, &c.

*Separate Article.*

WHEREAS the treaty concluded this day between his Imperial Catholic Majesty, his Britannic Majesty, and the High and Mighty Lords the States General of the United Provinces of the Netherlands, could not be subscribed or signed by the Minister of the said States General residing at the Imperial court, because, according to the custom of the Republic, and the form of its government, the full powers could not be dispatched to the said Minister so soon as was necessary; it is agreed between his Imperial Majesty, and his Royal Majesty of Great Britain, that the said States

General (there being several conditions in the said treaty, wherein they are particularly concerned) shall be held and reputed as a principal contracting party, according as they are also named in the said treaty, in firm hope and confidence that they would accede to it, as soon as the usual form of their government would admit of it. And because the zeal which that Republic manifests for establishing and securing the public tranquillity, leaves their said Majesties no room to doubt, that the said Republic is desirous of becoming, as soon as may be, a principal contracting party in the said treaty, to the end she may partake of the advantages therein stipulated for her; both their Majesties will therefore unite their endeavours, that this treaty may be signed at the Hague, on the part of the said States General, within the space of three months, to be computed from the day of the signing of the present treaty, or sooner if possible; for it appeared necessary both to his Imperial and to his Royal Britannic Majesty, in order to obtain the end proposed by the present treaty, and for completing the public tranquillity, that the said States General should enter into a part and partnership of the said conventions.

This separate article shall have the same force, &c.

*A Declaration concerning East Friesland.*

THE States General of the United Provinces of the Netherlands having, upon several occasions, assured his Imperial and Catholic Majesty, that how much soever they are interested in the re-establishment and preservation of the peace in their neighbourhood, and by consequence that of the province of East Friesland, it was never their intention to prejudice in the least the dependence of the said province of East Friesland upon the Emperor and the Empire; his said Imperial and Catholic Majesty, to give the States a fresh proof of his desire to oblige them, as far as is consistent with justice, has been pleased to explain

plain to them his true sentiments on that affair, and by that means to recover them from the fears they seem to have received, In order to this, no hesitation has been made to declare to them on his part, by the present act, that his intention always was and still is,

I. That an amnesty, which he has most graciously granted to those of Embden and their adherents, shall have its entire effect; and therefore that the several pains and penalties pronounced against those of Embden and their adherents, upon the score of their renitency (resistance) shall not be put in execution. And as for those of them which have actually been executed since the most gracious acceptance of the submission made by the people of Embden and their adherents, the whole shall be restored upon the foot it stood before the said submission was accepted, that is to say, before the 3d of May, 1729, saving what is hereafter mentioned, of an agreement to indemnify those for their losses, who were plundered during the late troubles.

II. His Imperial and Catholic Majesty having, by his resolution of the 12th of September, 1729, most graciously permitted those of the town of Embden, and their adherents, to draw up a fresh account of their grievances, or matters wherein they thought themselves aggrieved by the decrees of 1721, and the years following, concerning the ground of the affairs upon which they differed with the Prince; and the said grievances having been afterwards exhibited to the Imperial Aulic Council, with all submission, the of November the same year; his said Majesty has already ordained, by his most gracious resolution of the 31st of August, that those grievances should be examined as soon as possible. And, as it has been often declared, it has been and still is his constant desire, that they should be determined and decided with all the justice and dispatch that is possible, according to the agreements, conventions, and decisions, which



make the particular law of the province of East Friesland, and which are referred to in the Prince's reversal letters, passed and sworn to at his accession to the regency: provided, nevertheless, that under the denomination of those agreements, conventions, and decisions, none be comprehended which were abrogated and annulled by his Imperial Majesty's august predecessors in the Empire, or which strike at the supreme rights of the Emperor and the Empire over the province of East Friesland. And his Imperial and Catholic Majesty, as a farther proof of his most gracious intention to cut as short as justice will admit him, the examination of the grievances of the people of Embden, and their adherents, has already ordained, by his resolution of the 31st of August last year, that, as soon as the account thereof is delivered to those who are properly to take cognizance of the same, according to the tenor of the resolution above-mentioned; they shall answer it very soon, and once for all; after which his Imperial Majesty, with the advice of his Imperial Aulic Council, will redress every complaint, article by article, which shall appear to be grounded on the agreements above-mentioned.

III. It having been already ordained, pursuant to his Imperial and Catholic Majesty's last resolution of the 31st of August, 1730, that the people of the town of Embden, and their adherents, ought to be admitted into the Assembly of the States, which is to be called together to deliberate freely upon the affairs that lie before them; his Imperial and Catholic Majesty will take care that this resolution shall have its intire effect, and that none of those who have a right to assist therein be excluded, contrary to the tenor of it.

IV. As to the indemnification, his Imperial Majesty thinks it proper, that an account be taken of the damages, which, according to the tenor of the amnesty published the                      in the year 1728, and of the  
resolution

resolution of the 12th of September, 1729, ought to be made good by the renitents; and that the said account be communicated to them, that they may make their objections: after which, his Imperial and Catholic Majesty will cause the difference to be amicably adjusted, or, on failure of an accommodation, will, with the utmost equity, fix the sum which shall be required to make good the damages sustained.

V. His Imperial and Catholic Majesty persists in the intention he always had to take particular care of the payment of the interest of the sums which the States of East Friesland, and of the town of Embden, have borrowed of the subjects of the United Provinces, as also of the reimbursement of the capital, according to the engagements entered into on that account.

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## F R A N C E.

1259. **T**HE more ancient treaties, between  
to England and France, which are fre-  
1632. quent and numerous, may be seen in

*Rym. Fed.* vol. i. part ii. p. 50.  
vol. iii. part ii. p. 3.  
vol. iv. part iii. p. 171.  
vol. vi. part ii. p. 88.  
vol. xii. p. 690.  
vol. xv. p. 211—640.  
vol. xvi. p. 645.  
vol. xix. p. 66.

*Corps Dip.* tom. vi. part. i. p. 31—33.

*Pap. Off.* B. 11.

*Treat.* 1732, vol. ii. p. 41—310.

1648. The treaty of Westphalia, which is recited by the treaty of Versailles, in 1783, as one of its foundations.  
*Mably, Dr. Pub.* vol. i. ch. 1.  
*Treat.* 1732, vol. i. p. 1.—vol. ii. p. 335.  
*Treat.* 1785, vol. i. p. 1—44.
- 1655 to 1659. The treaties between the Cromwells and France.  
*Pap. Off. B.* 12—13—14.  
*Treat.* 1732, vol. iii. p. 149—199.  
*Treat.* 1785, vol. i. p. 81—86—93—4—100—101.
1667. The treaty between Great Britain and  $\frac{2}{11}$  July. France, concluded at Bredah.  
*Pap. Off. B.* 17.  
*Treat.* 1732, vol. i. p. 127.  
*Treat.* 1785, vol. i. p. 186. \*
1675. The marine and commercial treaty between 24 Feb. Great Britain and France.  
*Treat.* 1685, p. 243.  
*Treat.* 1732, vol. i. p. 170.  
*Treat.* 1785, vol. i. p. 209.
1678. The treaties of Nimeguen, between France 1679. and the States General, in 1678, and between France and Spain, in 1679, are recited by the treaty of Versailles, in 1783, as two of its foundations.  
*Treat.* 1732, vol. i. p. 193—245.  
*Corps Dip.* vol. vii. p. 350—365.
1686. The treaty of peace and neutrality in 16 Nov. America, between Great Britain and France.  
*Pap. Off. B.* 25.  
*Treat.* 1732, vol. i. p. 246.  
*Treat.* 1785, vol. i. p. 261.
- 1697.

1697. The treaty of peace between Great Britain and France, concluded at Ryfwick; which see at p. 332.

*Pap. Off. B.* 26.

*Treat.* 1732, vol. i. p. 302.

*Treat.* 1785, vol. i. p. 299.

1698. The treaty, usually called the *First Partition Treaty*, between Great Britain, France, and the States General.

19 Aug.

*Treat.* 1732, vol. i. p. 386.

*Treat.* 1785, vol. i. p. 305.

1700. The treaty, usually called the *Second Partition Treaty*, between Great Britain, France, and the States General, with the separate and secret articles.

21 Feb.

*Pap. Off. B.* 28.

*Treat.* 1732, vol. i. p. 407.

*Treat.* 1785, vol. i. p. 319.

1713. The treaty of peace and friendship between Great Britain and France, concluded at Utrecht.

31 Mar.

11 Apr.

*Pap. Off. B.* 31—32.

*Treat.* 1732, vol. iii. p. 398.

*Treat.* 1785, vol. ii. p. 5.

1713. The treaty of navigation and commerce, between Great Britain and France, concluded at Utrecht.

31 Mar.

11 Apr.

*Pap. Off. B.* 34.

*Treat.* 1732, vol. iii. p. 440.

*Treat.* 1785, vol. ii. p. 40.

1714. The treaty of BADEN, between the Emperor and France, is recited by the treaty of Versailles, in 1783, as one of its foundations.

7 Sept.

*Treat.* 1732, vol. iv. p. 358.

*Rouffet, Recueil*, vol. i. p. 1.

1717. The treaty of defensive alliance, between  
4 Jan. Great Britain, France, and the States General, which was concluded at the Hague, and which is usually called The TRIPLE ALLIANCE. *Pap. Off. B.* 37.  
*Treat.* 1732, vol. iv. p. 39.  
*Treat.* 1785, vol. ii. p. 185.  
*Rouffet, Recueil Historique*, tom. i. p. 89.
1718. The QUADRUPLE ALLIANCE, between  
22 July Great Britain, the Emperor, France, and the  
2 Aug. States General, with the separate and secret articles, which is printed before, page 257, under the head of The AUSTRIAN NETHERLANDS.  
*Pap. Off. B.* 44.  
*Treat.* 1732, vol. iv. p. 53.  
*Treat.* 1785, vol. ii. p. 199.  
*Rouffet, Recueil Historique*, tom. i. p. 180.
1721. The treaty of defensive alliance, between  
13 June. Great Britain, France, and Spain, with the separate articles, concluded at Madrid.  
*Pap. Off. B.* 50.  
*Treat.* 1732, vol. iv. p. 123.  
*Treat.* 1785, vol. ii. p. 268.
1721. The triple defensive alliance, between  
13 June. Great Britain, France, and Spain, with the separate article, concluded at Madrid.  
*Pap. Off. B.* 53.
1725. The treaty between Great Britain, France,  
3 Sept. and Prussia, concluded at Hanover.  
*Pap. Off. B.* 58.  
*Rouffet, Recueil Historique*, tom. ii. p. 189.  
*Treat.* 1732, vol. iv. p. 146.  
*Treat.* 1785, vol. ii. p. 274.

1727. The defensive treaty, between Great Britain, France, and Denmark, concluded at Copenhagen.

*Pap. Off. B. 62.*

*Roussel, Recueil Historique, tom. iv. p. 244.*

*Treat. 1732, vol. iv. p. 167.*

*Treat. 1785, vol. ii. p. 295.*

1729. The treaty of peace, union, and mutual defence, with the separate and secret articles, between Great Britain, France, and Spain, concluded at Seville.

*Pap. Off. B. 64.*

*Roussel, Recueil Historique, tom. v. part. ii. p. 1.*

*Treat. 1732, vol. iv. p. 201.*

*Treat. 1785, vol. ii. p. 306.*

1738. The treaty of VIENNA, between the Emperor and other Powers, is recited by the treaty of Versailles, in 1783, as one of its foundations.

*Mably, Dr. Pub. vol. iii. p. 57.*

1748. The treaty of peace, with the separate and secret articles, between Great Britain, France, and the States General, concluded at Aix-la-Chapelle.

*Pap. Off. B. 76.*

*Treat. 1785, vol. ii. p. 370.*

1763. The definitive treaty of peace, between Great Britain, France, and Spain, concluded at Paris.

*Treat. 1785, vol. iii. p. 177.*

1783. The treaty of peace, between Great Britain and France, concluded at Versailles.  
3 Sept. *Treat.* 1785, vol. iii. p. 354.

1786. The treaty of navigation and commerce,  
26 Sept. between Great Britain and France, concluded at Versailles.

1787. The convention between Great Britain  
15 Jan. and France, concluded at Versailles.

1787. The convention between Great Britain  
31 Aug. and France, concluded at Versailles.

[The TREATY OF RYSWICK, is printed from the copy which was published by authority in 1697.]

*The Articles of Peace between the most Serene and Mighty Prince William the Third, King of Great Britain, and the most Serene and Mighty Prince Lewis the Fourteenth, the most Christian King, concluded in the Royal Palace at Ryfwick, the 1<sup>o</sup>/<sub>28</sub> Day of September, 1697.*

I. THAT there be an universal perpetual peace, and a true and sincere friendship, between the most Serene and Mighty Prince William the Third, King of Great Britain, and the most Serene and Mighty Prince Lewis the Fourteenth, the most Christian King, their heirs and successors, and between the kingdoms, states, and subjects of both; and that the same be so sincerely and inviolably observed and kept, that the one shall promote the interest, honour, and advantage of the other, and that on both sides a faithful neighbourhood, and true observation of peace and friendship, may daily flourish and increase.

II. That all enmities, hostilities, discords, and wars, between the said King of Great Britain and the most Christian King, and their subjects, cease and be abolished, so that on both sides they forbear and abstain hereafter

hereafter from all plundering, depredation, harm-doing, injuries, and infestation whatsoever, as well by land as by sea, and on fresh waters, every where; and especially throughout all the kingdoms, territories, dominions, and places, belonging to each other, of what condition soever they be.

III. That all offences, injuries, damages, which the said King of Great Britain and his subjects, or the said most Christian King and his subjects, have suffered from each other during this war, shall be forgotten, so that neither on account of them, or for any other cause or pretence, neither party, or the subjects of either, shall hereafter do, cause, or suffer to be done, any hostility, enmity, molestation, or hinderance to the other, by himself or others, secretly or openly, directly or indirectly, by colour of right or way of fact.

IV. And since the most Christian King was never more desirous of any thing, than that the peace be firm and inviolable, the said King promises and agrees, for himself and his successors, that he will on no account whatsoever disturb the said King of Great Britain in the free possession of the kingdoms, countries, lands, or dominions which he now enjoys; and therefore engages his honour, upon the faith and word of a King, that he will not give or afford any assistance, directly or indirectly, to any enemy or enemies of the said King of Great Britain; and that he will in no manner whatsoever favour the conspiracies or plots which any rebels, or ill-disposed persons, may in any place excite or contrive against the said King; and for that end promises and engages, that he will not assist with arms, ammunition, ships, provisions, or money, or in any other way, by sea or land, any person or persons, who shall hereafter, under any pretence whatsoever, disturb or molest the said King of Great Britain in the free and full possession of his kingdoms, countries, lands, and dominions. The King of Great Britain likewise promises and engages, for  
himself



himself and successors, Kings of Great Britain, that he will inviolably do and perform the same towards the said most Christian King, his kingdoms, countries, lands, and dominions.

V. That there be a free use of navigation and commerce between the subjects of both the said Kings, as was formerly in the time of peace, and before the declaration of the late war, so that every one of them may freely come into the kingdoms, marts, ports, and rivers of either of the said Kings with their merchandizes, and may there continue and trade without any molestation, and shall use and enjoy all liberties, immunities, and privileges, granted by solemn treaties and ancient custom.

VI. That the ordinary administration of justice shall be restored and set open, throughout the kingdoms and dominions of both Kings, so that it shall be free for all the subjects of either, to claim and obtain their rights, pretensions, and actions, according to the laws, constitutions, and statutes of each kingdom.

VII. The most Christian King shall restore to the said King of Great Britain, all countries, islands, forts, and colonies, wheresoever situated, which the English did possess before the declaration of this present war. And in like manner the King of Great Britain shall restore to the most Christian King all countries, islands, forts, and colonies, wheresoever situated, which the French did possess before the said declaration of war; and this restitution shall be made, on both sides, within the space of six months, or sooner if it can be done. And to that end, immediately after the ratification of this treaty, each of the said Kings shall deliver, or cause to be delivered, to the other, or to commissioners authorized in his name for that purpose, all acts of concession, instruments, and necessary orders, duly made and in proper form, so that they may have their effect.

VIII. Com-

VIII. Commissioners shall be appointed on both sides, to examine and determine the rights and pretensions which either of the said Kings hath to the places situated in Hudson's Bay; but the possession of those places which were taken by the French, during the peace that preceded this present war, and were retaken by the English during this war, shall be left to the French, by virtue of the foregoing article. The capitulation made by the English on the fifth of September, 1696, shall be observed, according to its form and tenor; the merchandizes therein mentioned shall be restored; the governor of the fort taken there shall be set at liberty, if it be not already done; the differences arisen concerning the execution of the said capitulation, and the value of the goods there lost, shall be adjudged and determined by the said commissioners; who, immediately after the ratification of the present treaty, shall be invested with sufficient authority for settling the limits and confines of the lands to be restored on either side, by virtue of the foregoing article, and likewise for exchanging of lands, as may conduce to the mutual interest and advantage of both Kings.

And to this end the commissioners so appointed shall, within the space of three months from the time of the ratification of the present treaty, meet in the city of London, and within six months, to be reckoned from their first meeting, shall determine all differences and disputes which may arise concerning this matter; after which, the articles the said commissioners shall agree to, shall be ratified by both Kings, and shall have the same force and vigour as if they were inserted word for word in the present treaty.

IX. All letters, as well of reprisal as of marque and counter-marque, which hitherto have for any cause been granted on either side, shall be and remain null and void; nor shall any the like letters be hereafter granted by either of the said Kings against the subjects of the other, unless it be first made manifest

fest that right hath been denied; and it shall not be taken for a denial of right, unless the petition of the person, who desires letters of reprisal to be granted to him, be first shewn to the minister residing there on the part of the King against whose subjects those letters are desired; that within the space of four months, or sooner, he may inquire into the contrary, or procure that satisfaction be made with all speed from the party offending to the complainant. But if the King against whose subjects reprisals are demanded, have no minister residing there, letters of reprisal shall not be granted, till after the space of four months, to be reckoned from the day on which his petition was made and presented to the King against whose subjects reprisals are desired, or to his privy council.

X. For cutting off all matter of dispute and contention, which may arise concerning the restitution of ships, merchandizes, and other moveable goods, which either party may complain to be taken and detained from the other, in countries and on coasts far distant, after the peace is concluded, and before it be notified there; all ships, merchandizes, and other moveable goods, which shall be taken by either side, after the signing and publication of the present treaty, within the space of twelve days in the British and North seas, as far as the Cape St. Vincent; within the space of ten weeks beyond the said Cape, and on this side of the Equinoctial Line or Equator, as well in the ocean and Mediterranean sea as elsewhere; lastly, within the space of six months beyond the said Line, throughout the whole world, shall belong and remain unto the possessors, without any exception or further distinction of time or place, or any consideration to be had of restitution or compensation.

XI. But if it happens, through inadvertency or imprudence, or any other cause whatever, that any subject of either of the said two Kings shall do or commit any thing, by land or sea, or on fresh water, any  
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where, contrary to the present treaty, or that any particular article thereof is not fulfilled; this peace and good correspondence between the said two Kings shall not on that account be interrupted or infringed, but shall remain in its former force, strength, and vigour, and the said subject only shall answer for his own fact, and undergo the punishment to be inflicted, according to the custom and law of nations.

XII. But if (which God forbid) the differences now composed between the said Kings should at any time be renewed, and break out into open war, the ships, merchandizes, and all kind of moveable goods of either party, which shall be found to be and remain in the ports and dominions of the adverse party, shall not be confiscated or brought under any inconvenience, but the whole space of six months shall be allowed to the subjects of both of the said Kings, that they may carry away and transport the foresaid goods, and any thing else that is theirs, whither they shall think fit, without any molestation.

XIII. For what concerns the principality of Orange, and other lands and dominions belonging to the said King of Great Britain, the separate article of the treaty of Nimeguen, concluded between the most Christian King and the States General of the United Provinces, the 10th day of August, 1678, shall, according to its form and tenor, have full effect, and all things that have been innovated and altered shall be restored as they were before. All decrees, edicts, and other acts, of what kind soever they be, without exception, which are in any manner contrary to the said treaty, or were made after the conclusion thereof, shall be held to be null and void, without any revival or consequence for the future: and all things shall be restored to the said King in the same state, and in the same manner, as he held and enjoyed them before he was dispossessed thereof in the time of the war which was ended by the said treaty of Nimeguen, or which

he ought to have held and enjoyed according to the said treaty. And; that an end may be put to all trouble; differences, processes, and questions, which may arise concerning the same, both the said Kings will name commissioners, who; with full and summary power, may compose and settle all these matters. And forasmuch as, by the authority of the most Christian King, the King of Great Britain was hindered from enjoying the revenues, rights, and profits, as well of his principality of Orange, as of other his dominions, which, after the conclusion of the treaty of Nimeguen, until the declaration of the present war, were under the power of the said most Christian King, the said most Christian King will restore, and cause to be restored in reality, with effect, and with the interest due, all those revenues, rights, and profits, according to the declarations and verifications that shall be made before the said commissioners.

XIV. The treaty of peace concluded between the most Christian King, and the late Elector of Brandenburg, at St. Germain in Laye, the 29th. of June, 1679, shall be restored in all its articles, and remain in its former vigour between his Sacred most Christian Majesty, and his Electoral Highness of Brandenburg.

XV. Whereas it will greatly conduce to the public tranquillity, that the treaty be observed, which was concluded between his Sacred most Christian Majesty, and his Royal Highness of Savoy, on the 9th of August, 1696; it is agreed that the said treaty shall be confirmed by this article.

XVI. Under this present treaty of peace shall be comprehended those who shall be named by either party, with common consent, before the exchange of ratifications, or within six months after. But in the mean time, the most Serene and Mighty Prince William, King of Great Britain, and the most Serene and Mighty Prince Lewis, the most Christian King,  
gratefully

gratefully acknowledging the sincere offices and indefatigable endeavours, which have been employed by the most Serene and Mighty Prince Charles King of Sweden, by the interposition of his mediation, in bringing this happy work of the peace, with the Divine assistance, to the desired conclusion; and to shew the like affection to him, it is by consent of all parties stipulated and agreed, that his said Sacred Royal Majesty of Sweden shall, with all his kingdoms, countries, provinces, and rights, be included in this treaty, and comprehended, in the best manner, in the present pacification.

XVII. Lastly, The solemn ratifications of this present agreement and alliance, made in due form, shall be delivered on both sides, and mutually and duly exchanged at the royal palace of Ryswick, in the province of Holland, within the space of three weeks, to be reckoned from the day of the subscription, or sooner if it may be.

In testimony of all and every the things before mentioned, and for their greater force, and to give them all the vigour and full authority they ought to have, the under-written Ambassadors Extraordinary and Plenipotentiaries, together with the Illustrious and most Excellent the Extraordinary Ambassador Mediator, have signed and sealed the present instrument of peace. Done, &c.

Signed by the English and French Ambassadors, and by the Mediator.

*Separate Article.*

BESIDES all that is concluded and stipulated by the treaty of peace signed this present day, the 20th of September, it is moreover agreed by the present separate article, which shall have the same force and effect as if it was inserted word for word in the said treaty, that the most Christian King shall covenant

and agree, and by the present article he does covenant and agree, that it shall be free for the Emperor and the Empire, until the first day of November next, to accept the conditions of peace lately proposed by the most Christian King, according to the declaration made on the first day of this present month, unless in the mean time it shall be otherwise agreed between his Imperial Majesty and the Empire, and his most Christian Majesty. And in case his Imperial Majesty does not, within the time prefixed, accept those conditions, or that it be not otherwise agreed between his Imperial Majesty and the Empire, and his most Christian Majesty, the said treaty shall have its full effect, and be duly put in execution according to its form and tenor: and it shall not be lawful for the King of Great Britain, directly or indirectly, on any account or cause whatsoever, to act contrary to the said treaty.

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[The TREATY OF UTRECHT, is printed from the copy which was published by authority in 1713.]

*The Treaty of Peace and Friendship between the most Serene and most Potent Princess Anne, by the grace of God, Queen of Great Britain, France, and Ireland, and the most Serene and most Potent Prince Lewis the XIVth, the most Christian King, concluded at Utrecht, the  $\frac{31}{11}$  day of <sup>March</sup> April, 1713.*

WHEREAS it has pleased Almighty God, for the glory of his name, and for the universal welfare, so to direct the minds of Kings for the healing, now in his own time, the miseries of the wasted world, that they are disposed towards one another with a mutual desire of making peace: be it therefore known to all and singular whom it may concern, that under this Divine guidance, the most Serene and most Potent Princess and Lady Anne, by the grace of God, Queen of Great

Great Britain, France, and Ireland, and the most Serene and most Potent Prince and Lord Lewis the XIVth, by the grace of God, the most Christian King, consulting as well the advantage of their subjects, as providing (as far as mortals are able to do) for the perpetual tranquillity of the whole Christian world, have resolved at last to put an end to the war, which was unhappily kindled, and has been obstinately carried on above these ten years, being both cruel and destructive, by reason of the frequency of battles, and the effusion of Christian blood. And for promoting this their royal purpose, of their own proper motion, and from that paternal care which they delight to use towards their own subjects, and the public weal of Christendom, have nominated and appointed the most noble, illustrious, and excellent Lords, their Royal Majesties respective Ambassadors Extraordinary and Plenipotentiaries, *viz.* her Sacred Royal Majesty of Great Britain, the Right Reverend John, by Divine permission, Bishop of Bristol, Keeper of the Privy Seal of England, one of her Majesty's Privy Council, Dean of Windsor, and Register of the most Noble Order of the Garter; as also the most Noble, Illustrious, and Excellent Lord, Thomas Earl of Strafford, Viscount Wentworth of Wentworth Woodhouse, and Stainborough, Baron of Raby, one of her Majesty's Privy Council, her Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, Colonel of the Royal regiment of Dragoons, Lieutenant General of her Majesty's forces, first Lord Commissioner of the Admiralty of Great Britain and Ireland, and Knight of the most Noble Order of the Garter; and his Sacred Royal most Christian Majesty, the most Noble, Illustrious, and Excellent Lords, Nicolas, Marquis of Huxelles, Marshal of France, Knight of the King's Orders, and Lieutenant General of the dukedom of Burgundy; and Nicolas Mesnager, Knight of the King's Order of St. Michael: and have furnished the said



Ambassadors Extraordinary with full and ample power to treat, agree of, and conclude a firm and lasting peace between their Royal Majesties. Wherefore the aforesaid Ambassadors, after divers and important consultations had in the congress held at Utrecht for that purpose, having at length overcome, without the intervention of any mediator, all the obstacles which hindered the end of so wholesome a design, and having invoked the Divine assistance, that God would be pleased to preserve this their work intire and unviolated, and to prolong it to the latest posterity, after having mutually communicated and duly exchanged their full powers (copies whereof are inserted word for word at the end of this instrument) they have agreed on the reciprocal conditions of peace and friendship between their above-mentioned Majesties, and their people and subjects, as follows:

I. That there be an universal perpetual peace, and a true and sincere friendship, between the most Serene and most Potent Princess Anne, Queen of Great Britain, and the most Serene and most Potent Prince Lewis the XIVth, the most Christian King, and their heirs and successors, as also the kingdoms, states, and subjects of both, as well without as within Europe; and that the same be so sincerely and inviolably preserved and cultivated, that the one do promote the interest, honour, and advantage of the other, and that a faithful neighbourhood on all sides, and a secure cultivating of peace and friendship, do daily flourish again and increase.

II. That all enmities, hostilities, discords, and wars, between the said Queen of Great Britain and the said most Christian King, and their subjects, do cease and be abolished, so that on both sides they do wholly refrain and desist from all plundering, depredation, harm-doing, injuries, and annoyance whatsoever, as well by land, as by sea and fresh waters, in all parts of the world, and chiefly through all tracts, dominions,  
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and places of what kind soever, of the kingdoms, countries, and territories of either side.

III. All offences, injuries, harms, and damages, which the aforesaid Queen of Great Britain, and her subjects, or the aforesaid most Christian King, and his subjects, have suffered the one from the other, during this war, shall be buried in oblivion, so that neither on account, or under pretence thereof, or of any other thing, shall either hereafter, or the subjects of either, do or give, cause or suffer to be done or given, to the other, any hostility, enmity, molestation, or hinderance, by themselves or by others, secretly or openly, directly or indirectly, under colour of right, or by way of fact.

IV. Furthermore, for adding a greater strength to the peace which is restored, and to the faithful friendship which is never to be violated, and for cutting off all occasions of distrust, which might at any time arise from the established right and order of the hereditary succession to the crown of Great Britain, and the limitation thereof by the laws of Great Britain (made and enacted in the reigns of the late King William the Third, of glorious memory, and of the present Queen) to the issue of the aforesaid Queen, and in default thereof, to the most Serene Princess Sophia, Dowager of Brunswick-Hanover, and her heirs in the Protestant line of Hanover. That therefore the said succession may remain safe and secure, the most Christian King sincerely and solemnly acknowledges the aforesaid limitation of the succession to the kingdom of Great Britain, and on the faith and word of a King, on the pledge of his own and his successors honour, he does declare and engage, that he accepts and approves the same, and that his heirs and successors do and shall accept and approve the same for ever. And under the same obligation of the word and honour of a King, the most Christian King promises, that no one besides the Queen herself, and her successors, according to the series of the said limitation, shall ever by him, or by his heirs or successors, be acknowledged or reputed to be King or

Queen of Great Britain. And for adding more ample credit to the said acknowledgment and promises, the most Christian King does engage, that whereas the person who, in the life-time of the late King James the Second, did take upon him the title of Prince of Wales, and since his decease, that of King of Great Britain, is lately gone, of his own accord, out of the kingdom of France, to reside in some other place, he the aforesaid most Christian King, his heirs and successors, will take all possible care that he shall not at any time hereafter, or under any pretence whatsoever, return into the kingdom of France, or any the dominions thereof.

V. Moreover, the most Christian King promises; as well in his own name, as in that of his heirs and successors, that they will at no time whatever disturb or give any molestation to the Queen of Great Britain, her heirs and successors, descended from the aforesaid Protestant line, who possess the crown of Great Britain, and the dominions belonging thereunto. Neither will the aforesaid most Christian King, or any one of his heirs, give at any time any aid, succour, favour, or counsel, directly or indirectly, by land or by sea, in money, arms, ammunition, warlike provision, ships, soldiers, seamen, or any other way, to any person or persons, whatsoever they be, who for any cause; or under any pretext whatsoever, should hereafter endeavour to oppose the said succession, either by open war, or by fomenting seditions and forming conspiracies against such Prince or Princes who are in possession of the throne of Great Britain, by virtue of the acts of parliament afore-mentioned, or against that Prince or Princess to whom the succession to the crown of Great Britain shall be open, according to the said acts of parliament.

VI. Whereas the most destructive flame of war, which is to be extinguished by this peace, arose chiefly from thence, that the security and liberties of Europe could by no means bear the union of the kingdoms of France

France and Spain under one and the same King; and whereas it has at length been brought to pass, by the assistance of the Divine Power, upon the most earnest instances of her Sacred Royal Majesty of Great Britain, and with the consent both of the most Christian and of the Catholic King, that this evil should in all times to come be obviated, by means of renunciations drawn in the most effectual form, and executed in the most solemn manner, the tenor whereof is as follows:

*Letters Patents by the KING,*

*Which admit the Renunciation of the King of Spain to the Crown of France, and those of M. the Duke of Berry, and of M. the Duke of Orleans, to the Crown of Spain.*

LEWIS, by the grace of God, King of France and Navarre: to all people present and to come, greeting. During the various revolutions of a war, wherein we have fought only to maintain the justice of the rights of the King, our most dear, and most beloved grandson, to the monarchy of Spain, we have never ceased to desire peace. The greatest successes did not at all dazzle us, and the contrary events, which the hand of God made use of to try us, rather than to destroy us, did not give birth to that desire in us, but found it there. But the time marked out by Divine Providence, for the repose of Europe, was not yet come; the distant fear of seeing one day our crown, and that of Spain, upon the head of one and the same Prince, did always make an equal impression on the Powers which were united against us; and this fear, which had been the principal cause of the war, seemed also to lay an insuperable obstacle in the way to peace. At last, after many fruitless negotiations, God being moved with the sufferings and groans of so many people, was pleased to open a surer way to come at so difficult a peace. But the same alarms still subsisting, the first and principal condition, which was proposed to us by  
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our most dear and most beloved sister the Queen of Great Britain, as the essential and necessary foundation of treating, was, that the King of Spain, our said brother and grandson, keeping the monarchy of Spain and of the Indies, should renounce for himself and his descendants for ever, the rights which his birth might at any time give him and them to our crown; that on the other hand, our most dear and most beloved grandson the Duke of Berry, and our most dear and most beloved nephew the Duke of Orleans, should likewise renounce, for themselves, and for their descendants, male and female for ever, their rights to the monarchy of Spain and the Indies. Our said sister caused it to be represented to us, that without a formal and positive assurance upon this point, which alone could be the bond of peace, Europe would never be at rest; all the Powers which share the same being equally persuaded, that it was for their general interest, and for their common security, to continue a war, whereof no one could foresee the end, rather than to be exposed to behold the same Prince become one day master of two monarchies so powerful as those of France and Spain. But as this Princess (whose indefatigable zeal for re-establishing the general tranquillity we cannot sufficiently praise) was sensible of all the reluctancy we had to consent that one of our children, so worthy to inherit the succession of our forefathers, should necessarily be excluded from it, if the misfortunes, wherewith it has pleased God to afflict us in our family, should moreover take from us, in the person of the Dauphin, our most dear and most beloved great grandson, the only remainder of those Princes which our kingdom has so justly lamented with us; she entered into our pain, and after having jointly sought out gentler means of securing the peace, we agreed with our said sister to propose to the King of Spain other dominions, inferior, indeed, to those which he possesses, yet the value thereof would so much the more increase under his reign, inasmuch as in that case he would preserve his rights, and annex  
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to our crown a part of the said dominions, if he came one time or other to succeed us. We employed therefore the strongest reasons to persuade him to accept this alternative. We gave him to understand, that the duty of his birth was the first which he ought to consult; that he owed himself to his house, and to his country, before he was obliged to Spain; that if he were wanting to his first engagements, he would perhaps one day in vain regret his having abandoned those rights which he would be no more able to maintain. We added to these reasons, the personal motives of friendship and of tender love, which we thought likely to move him; the pleasure we should have in seeing him from time to time near us, and in passing some part of our days with him, which we might promise ourselves from the neighbourhood of the dominions that were offered him, the satisfaction of instructing him ourselves concerning the state of our affairs, and of relying upon him for the future; so that, if God should preserve to us the Dauphin, we could give our kingdom, in the person of the King our brother and grandson, a regent instructed in the art of government; and that if this child, so precious to us and to our subjects, were also taken from us, we should at least have the consolation of leaving to our people a virtuous King, fit to govern them, and who would likewise annex to our crown very considerable dominions. Our instances, reiterated with all the force, and with all the tender affection necessary to persuade a son, who so justly deserves those efforts which we made for preserving him to France, produced nothing but reiterated refusals on his part, ever to abandon such brave and faithful subjects, whose zeal for him had been distinguished in those conjunctures when his throne seemed to be the most shaken. So that, persisting with an invincible firmness in his first resolution, asserting likewise, that it was more glorious and more advantageous for our house, and for our kingdom, than that which we pressed him to take, he declared in the meet-

ing of the States of the kingdom of Spain, assembled at Madrid for that purpose, that for obtaining a general peace, and securing the tranquillity of Europe by a balance of power, he of his own proper motion, of his own free will, and without any constraint, renounced for himself, for his heirs and successors for ever and ever, all pretensions, rights, and titles, which he or or any of his descendants have at present, or may have at any time to come whatsoever, to the succession of our crown; that he held for excluded therefrom, himself, his children, heirs, and descendants for ever; that he consented for himself and for them, that now, as well as then, his right, and that of his descendants, should pass over and be transferred to him among the Princes whom the law of succession and the order of birth calls or shall call to inherit our crown, in default of our said brother and grandson the King of Spain, and of his descendants, as it is more amply specified in the act of renunciation approved by the States of his kingdom; and consequently he declared, that he desisted particularly from the right which hath been added to that of his birth by our letters patents of the month of December, 1700, whereby we declared, that it was our will that the King of Spain, and his descendants, should always preserve the rights of their birth and original, in the same manner as if they resided actually in our kingdom; and from the registry which was made of our said letters patents, both in our court of parliament, and in our chamber of accounts at Paris. We are sensible, as King, and as Father, how much it were to be desired that the general peace could have been concluded without a renunciation, which makes so great a change in our Royal House, and in the ancient order of succeeding to our crown; but we are yet more sensible how much it is our duty to secure speedily to our subjects a peace, which is so necessary for them. We shall never forget the efforts which they made for us during the long continuance of a war which we  
could

could not have supported if their zeal had not been much more extensive than their power. The welfare of a people so faithful, is to us a supreme law, which ought to be preferred to any other consideration. It is to this law that we this day sacrifice the right of a grandson who is so dear to us, and by the price which the general peace will cost our tender love, we shall at least have the comfort of shewing our subjects, that, even at the expence of our blood, they will always keep the first place in our heart.

For these causes, and other important considerations us thereunto moving, after having seen in our council the said act of renunciation of the King of Spain, our said brother and grandson, of the fifth of November last, as also the acts of renunciation which our said grandson the Duke of Berry, and our said nephew the Duke of Orleans, made reciprocally of their rights to the crown of Spain, as well for themselves as for their descendants, male and female, in consequence of the renunciation of our said brother and grandson the King of Spain, the whole hereunto annexed, with a copy collated of the said letters patents of the month of December, 1700, under the counter-seal of our chancery, of our special grace, full power, and Royal authority, we have declared, decreed, and ordained, and by these presents, signed with our hand, we do declare, decree, and ordain, we will, and it is our pleasure, that the said act of renunciation of our said brother and grandson the King of Spain, and those of our said grandson the Duke of Berry, and of our said nephew the Duke of Orleans, which we have admitted, and do admit, be registered in all our courts of parliament, and chambers of our accounts in our kingdom, and other places where it shall be necessary, in order to their being executed according to their form and tenor. And consequently, we will and intend, that our said letters patents of the month of December, 1700, be and remain null, and as if they had never been made, that they be brought back to us, and that  
in



in the margin of the registers of our said court of parliament, and of our said chamber of accounts, where the enrolment of the said letters patents is, the extract of these presents be placed and inserted, the better to signify our intention as to the revocation and nullity of the said letters. We will, that in conformity to the said act of renunciation of our said brother and grandson the King of Spain, he be from henceforth looked upon and considered as excluded from our succession, that his heirs, successors, and descendants be likewise excluded for ever, and looked upon as incapable of enjoying the same. We understand that in failure of them, all rights to our said crown, and succession to our dominions, which might at any time whatsoever belong and appertain to them, be and remain transferred to our most dear and most beloved grandson the Duke of Berry, and to his children and descendants, being males born in lawful marriage; and successively, in failure of them, to those of the Princes of our Royal House, and their descendants, who in right of their birth, or by the order established since the foundation of our monarchy, ought to succeed to our crown. And so we command our beloved and trusty counsellors, the members of our court of parliament at Paris, that they do cause these presents, together with the acts of renunciation made by our said brother and grandson the King of Spain, by our said grandson the Duke of Berry, and by our said nephew the Duke of Orleans, to be read, published, and registered, and the contents thereof to be kept, observed, and executed, according to their form and tenor, fully, peaceably, and perpetually, ceasing, and causing to cease, all molestations and hinderances, notwithstanding any laws, statutes, usages, customs, decrees, regulations, and other matters contrary thereunto; whereto, and to the derogations of the derogations therein contained, we have derogated, and do derogate by these presents, for this purpose only, and without being brought into precedent. For such is our pleasure.

And

And to the end that this may be a matter firm and lasting for ever, we have caused our seal to be affixed to these presents. Given at Versailles, in the month of March, in the year of our Lord 1713, and of our reign the seventieth. Signed, LEWIS; and underneath, By the King, *Phelypeaux. Visa Phelypeaux.* And sealed with the great seal on green wax, with strings of red and green silk.

Read and published, the court being assembled, and registered among the rolls of the court, the King's attorney-general being heard, and moving for the same, to the end that they may be executed according to their form and tenor, in pursuance of, and in conformity to the acts of this day. At Paris, in parliament, the 15th of March, 1713.

(Signed)

*Dongois.*

#### The KING.

WHEREAS, on the 5th of November, in this present year 1712, before Don Manuel of Vadillo and Velasco, my secretary of state, and chief notary of the kingdoms of Castille and Leon, and witnesses, I delivered, swore to, and signed a public instrument of the tenor following, which is word for word as here ensues:

D. Philip, by the grace of God, King of Castille, Leon, Arragon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valentia, Galicia, Majorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Algezira, Gibraltar, the Canary Islands, the East and West Indies, the Islands and Terra Firma of the ocean, Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Habsburg, Flanders, Tirol, and Barcelona, Lord of Biscay, and Molina, &c. By the account and information of this instrument and writing of renunciation and relinquishment, and that it may remain for a perpetual remembrance,

I do

I do make known and declare to Kings, Princes, Potentates, Commonwealths, Communities, and particular persons, which now are, and shall be in future ages; That it being one of the principal positions of the treaties of peace depending between the crowns of Spain and of France, with that of England, for the rendering it firm and lasting, and proceeding to a general one, on the maxim of securing for ever the universal good and quiet of Europe, by an equal weight of power, so that many being united in one, the balance of the equality desired might not turn to the advantage of one, and the danger and hazard of the rest; it was proposed and insisted on by England, and it was agreed to on my part, and on that of the King my grandfather, that for avoiding at any time whatever the union of this monarchy with that of France, and the possibility that it might happen in any case, reciprocal renunciations should be made by me, and for all my descendants, to the possibility of succeeding to the monarchy of France, and on the part of those Princes, and of all their race, present and to come, to that of succeeding to this monarchy; by forming a proper project of abdication of all rights which might be claimed by the two Royal houses of this and of that monarchy, as to their succeeding mutually to each other; by separating, by the legal means of my renunciation, my branch from the Royal stem of France, and all the branches of France from the stem of the blood-royal of Spain; by taking care at the same time, in pursuance of the fundamental and perpetual maxim of the balance of power in Europe, which persuades and justifies the avoiding, in all cases imaginable, the union of the monarchy of France with that of Spain, that the inconvenience should likewise be provided against, lest, in default of my issue, the case should happen that this monarchy should devolve again to the House of Austria, whose dominions and dependencies, even without the union of the Empire, would make it formidable; a motive which at other times made it justifiable to separate.

parate the hereditary dominions of the House of Austria from the body of the Spanish monarchy; it being agreed and settled to this end by England with me, and with the King my grandfather, that in failure of me, and of my issue, the Duke of Savoy, and his sons and descendants, being males, born in constant lawful marriage, are to enter upon the succession of this monarchy; and in default of his male line, the Prince Amadeo of Carignan, and his sons and descendants, being males, born in constant lawful marriage; and in default of his line, Prince Thomas, brother of the Prince of Carignan, his sons and descendants, being males, born in constant lawful marriage, who, as descendants of the Infanta Donna Catharina, daughter of Philip the Second, and being expressly called, have a clear and known right, supposing the friendship and perpetual alliance which the Duke of Savoy, and his descendants, are to solicit and obtain from this crown; it being to be believed, that by this perpetual and never-ceasing hope, the needle of the balance may remain invariable, and all the Powers, wearied with the toil and uncertainty of battles, may be amicably kept in an equal poise; it not remaining in the disposal of any of the parties to alter this federal equilibrium by way of any contract of renunciation, or retrocession, since the same reason which induced its being admitted, demonstrates its permanency, a fundamental constitution being formed, which may settle by an unalterable law the succession of what is to come. In consequence of what is above said, and for the love I bear to the Spaniards, and from the knowledge I have of what I owe to them, and the repeated experience of their fidelity, and for making a return to Divine Providence, by this resignation to its destiny, for the great benefit of having placed and maintained me on the throne, among such illustrious and well-deserving vassals, I have determined to abdicate, for myself, and all my descendants, the right of succeeding to the crown of France, desiring not to depart from living

and dying with my beloved and faithful Spaniards; leaving to all my descendants the inseparable bond of their fidelity and love. And to the end that this resolution may have its due effect, and that the matter may cease which has been looked upon as one of the principal motives of the war which has hitherto afflicted Europe, of my own motion, free, spontaneous, and unconstrained will, I Don Philip, by the grace of God, King of Castille, Leon, Arragon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Algezira, Gibraltar, the Canary Islands, the East and West Indies, the Islands and Terra Firma of the ocean, Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Habsburg, Flanders, Tirol, and Barcelona, Lord of Biscay and Molina, &c. do by this present instrument, for myself, for my heirs and successors, renounce, quit, and relinquish, for ever and ever, all pretensions, rights, and titles, which I have, or any descendant of mine hath at present, or may have at any time to come, to the succession of the crown of France; and I declare, and hold myself for excluded and separated, me and my sons, heirs, and descendants for ever, for excluded and disabled absolutely, and without limitation, difference, and distinction of persons, degrees, sexes, and times, from the act and right of succeeding to the crown of France. And I will and consent, for myself and my said descendants, that now, as well as then, it may be taken to be passed over and transferred to him, who by mine and their being excluded, disabled, and incapacitated, shall be found next and immediate in degree to the King by whose death it shall become vacant: and the succession to the said crown of France is at any time, and in any case, to be settled on and given to him, to have and to hold the same as true and lawful successor, in the same manner as if I and my descendants had not been born, or been in the world; since for such are we to be held and esteemed, because in my person, and in that of my descendants, there is no consideration

consideration to be had, or foundation to be made of active or passive representation, beginning, or continuation of lineage effective, or contentive of substance, blood, or quality, nor can the descent or computation of degrees of those persons be derived from the most Christian King, my lord and grandfather, nor from the Dauphin, my father, nor from the glorious Kings their progenitors; nor by any other means can they come into the succession, nor take possession of the degree of proximity, and exclude from it the person who, as is abovesaid, shall be found next in degree. I will and consent for myself, and for my descendants, that from this time, as well as then, this right be looked upon and considered as passed over and transferred to the Duke of Berry, my brother, and to his sons and descendants, being males, born in constant lawful marriage; and in default of his male issue, to the Duke of Orleans, my uncle, and to his sons and descendants, being males, born in constant lawful marriage; and in default of his issue, to the Duke of Bourbon, my cousin, and to his sons and descendants, being males, born in constant lawful marriage; and in like manner successively to all the Princes of the blood of France, their sons and descendants, being males, for ever and ever, according to the place and order in which they shall be called to the crown by right of their birth; and consequently to that person among the said Princes, who (I and all my said descendants being, as is abovesaid, excluded, disabled, and incapacitated) shall be found the nearest in immediate degree after that King by whose death the vacancy of the crown of France shall happen, and to whom the succession ought to belong at any time, and in any case whatsoever, that he may possess the same as true and lawful successor, in the same manner as if I and my descendants had not been born. And for the greater strength of this act of abdication of all the rights and titles which appertained to me, and to all my sons and descendants, of succeeding to the aforesaid crown of France, I depart

from and relinquish especially that which might moreover accrue to the rights of birth from the letters patents, or instrument, whereby the King my grandfather preserved and reserved to me, and enabled me to enjoy the right of succession to the crown of France, which instrument was dispatched at Versailles in the month of December, in the year 1700, and passed, and approved, and registered by the Parliament. I will that it cannot serve me for a foundation to the purposes therein provided for, and I reject and renounce it, and hold it for null, void, and of no force, and for cancelled, and as if no such instrument had ever been executed. I promise and oblige myself, on the faith of a King's word, that as much as shall relate to my part, and that of my sons and descendants, which are and shall be, I will take care of the observation and accomplishment of this writing, without permitting or consenting that any thing be done contrary thereunto, directly or indirectly, in the whole, or in part; and I relinquish and depart from all and all manner of remedies, known or unknown, ordinary or extraordinary, and which by common right, or special privilege, might belong to us, to me, and to my sons and descendants, to reclaim, mention, or alledge against what is abovesaid; and I renounce them all, and especially that of evident prejudice, enormous, and most enormous, which may be reckoned to have happened in this relinquishment and renunciation of the right of being able at any time to succeed to the crown aforementioned. I will that none of the said remedies, nor others, of whatsoever name, use, importance, and quality they may be, do avail us, or can avail us. And if in fact, or under any colour, we should endeavour to seize the said kingdom by force of arms, by making or moving war, offensive or defensive, from this time for ever, that is to be held, judged, and declared, for an unlawful, unjust, and wrongfully undertaken war, and for violence, invasion, and usurpation, done against reason and conscience; and on the

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contrary,

contrary, that is to be judged and esteemed a just, lawful, and allowed war, which shall be made or moved in behalf of him who, by the exclusion of me, and of my said sons and descendants, ought to succeed to the said crown of France, to whom the subjects and natives thereof are to apply themselves, and to obey him, to take and perform the oath and homage of fealty, and to serve him as their lawful king and lord. And the relinquishment and renunciation, for me, and my said sons and descendants, is to be firm, stable, valid, and irrevocable perpetually, for ever and ever. And I declare and promise, that I have not made, neither will I make, any protestation or reclaiming, in public or in secret, to the contrary, which may hinder or diminish the force of what is contained in this writing; and that if I should make it, although it be sworn to, it is not to be valid, neither can it have any force; and for the greater strength and security of what is contained in this renunciation, and of what is said and promised on my part therein, I give again the pledge of my faith and Royal word, and I swear solemnly by the Gospels contained in this Missal, upon which I lay my right hand, that I will observe, maintain, and accomplish this act and instrument of renunciation, as well for myself as for all my successors, heirs, and descendants, in all the clauses therein contained, according to the most natural, literal, and plain sense and construction; and that I have not sought, neither will I seek, any dispensation from this oath; and if it shall be sought for by any particular person, or shall be granted *motu proprio*, I will not use it, nor take any advantage of it. Nay, in such case as that it should be granted me, I make another the like oath, that there may always be and remain one oath above and beyond all dispensations which may be granted me. And I deliver this writing before the present secretary, notary of this my kingdom, and I have signed it, and commanded it to be sealed with my Royal seal; there being provided and called as witnesses, the Cardinal



dinal Don Francisco de Judice, Inquisitor General, and Archbishop of Montreal, one of my Council of State; Don Joseph Fernandez, of Velasco and Tobar, Constable of Castille, Duke of Frias, Gentleman of my Chamber, my High Steward of my Household, great Cup-bearer, and great Huntsman; Don Juan Claros Alfonso Perez de Gusman el Bueno, Duke of Medina Sidonia, Knight of the Order of the Holy Ghost, my great Master of the Horse, Gentleman of my Chamber, and one of my Council of State; Don Francisco Andres de Benavides, Count of Santistevan, one of my Council of State, and High Steward to the Queen; Don Carlos Homodei Laco de la Vega, Marquis of Almonacir, and Count of Casa Palma, Gentleman of my Chamber, one of my Council of State, and Great Master of the Horse to the Queen; Don Restayno Cantelmo, Duke of Popoli, Knight of the Order of the Holy Ghost, Gentleman of my Chamber, and Captain of my Italian Life Guards; Don Fernando of Arragon and Moncada, Duke of Montalto, Marquis of los Velez, Commander of Silla and Benaful in the Order of Montessa, Gentleman of my Chamber, and one of my Council of State; Don Antonio Sebastian de Toledo, Marquis of Mansera, Gentleman of my Chamber, one of my Council of State, and President of that of Italy; Don Juan Domingo, of Haro and Guzman, great Commander in the Order of St. James, one of my Council of State; Don Joachim Ponce de Leon, Duke of Arcos, Gentleman of my Chamber, great Commander in the Order of Calatrava, one of my Council of State; Don Domingo de Giudice, Duke of Giovenazzo, one of my Council of State; Don Manuel Coloma, Marquis of Canales, Gentleman of my Chamber, one of my Council of State, and Captain General of the Artillery of Spain; Don Joseph de Solis, Duke of Montellano, one of my Council of State; Don Rodrigo Manuel Manrique de Lara, Count of Frigiliana, Gentleman of my Chamber, one of my Council of State,  
and

and President of that of the Indies; Don Isidro de la Cueva, Marquis of Bedmar, Knight of the Order of the Holy Ghost, Gentleman of my Chamber, one of my Council of State, President of that of the Orders, and first Minister of War; Don Francisco Ronquillo Briceño, Count of Gramedo, Governor of my Council of Castille; Don Lorenzo Armangual, Bishop of Girona, one of my Council and Chamber of Castille, and Governor of that of the Revenues; Don Carlos de Borja and Centellas, Patriarch of the Indies, one of my Council of the Orders, my Chaplain and Great Almoner, and Vicar General of my Armies; Don Martin de Guzman, Marquis of Montealegre, Gentleman of my Chamber, and Captain of my Guard of Halberdiers; Don Pedro de Toledo Sarmiento, Count of Gondomar, one of my Council and Chamber of Castille; Don Francisco Rodrigues de Mendrosqueta, Commissary General of the Cruzada; and Don Melchior de Avellaneda, Marquis of Valdecañas, one of my Council of War, and Director General of the Infantry of Spain.

*I the KING.*

I Don Manuel of Vadillo and Velasco, Knight of the Order of Saint James, and Commander of Bó-fuelo in that of Calatrava, Secretary of State to his Majesty, Public Notary, and Writer, in his kingdoms and dominions, who was present at the delivery, and at all the rest herein above contained, do testify the same: and in witness of the truth I have signed it, and put my name thereto, in Madrid, the fifth of November, 1712.

*Manuel Vadillo y Velasco.*

Now in regard to the federal conventions, whereof mention is made in the said instrument here inserted, and to the end it may appear authentically to all the parties where it appertains, and who may pretend to make use of the contents thereof; and for all the effects which may take place in right, and which may be de-

rived from the delivery hereof, under the clauses, conditions, and suppositions therein contained, I have commanded these presents to be made out, signed with my hand, and sealed with the seal of my Royal arms, and countersigned by my underwritten Secretary of State, and Chief Notary of these my kingdoms, at Buen Retiro, the seventh of November, 1712.

(L. S.) *I the KING.*

*Manuel de Vadillo y Velasco.*

Read and published, the court being assembled, and registered in the rolls of the court, the King's advocate general being heard, and moving for the same, to the end that it may be executed according to the form and tenor thereof, in pursuance of, and in conformity to the acts of this day. At Paris, in parliament, the 15th of March, 1713.

(Signed)

*Dongois.*

I Don Francisco Antonio le Quincoces, Knight of the Order of St. James, one of his Majesty's Council, and Secretary of that of the Chamber, and of State of Castille, Public Notary and Writer in his kingdoms and dominions,

Do certify, that in pursuance of the proposition which the King our Lord (whom God preserve) made to the kingdom assembled in Cortes, represented by all the knights deputies from the cities and towns which have a vote therein, the fifth day of this present month and year, in his Royal palace of Buen Retiro, and upon sight of the instrument of renunciation, delivered by his Majesty the same day, month, and year, before Don Manuel of Vadillo and Velasco, his Secretary of State, and Public Notary and Writer in all his kingdoms and dominions, which his Majesty ordered him to present, and which was read and published in the meeting of the Cortes, which the kingdom held

for

for this alone, the ninth of this month, the following resolution was agreed upon:

That the most humble representation be made by the kingdom, laying ourselves at the Royal feet of his Majesty, giving him immortal thanks for the immense benefits, and exceeding great favours, wherewith he has been pleased to honour and exalt the Spanish nation, by taking care of the greatest good and advantage of his most loving vassals, by procuring to this monarchy the ease of this desired peace and tranquillity. And that the kingdom, desiring on their part to contribute to the attaining the Royal intention of his Majesty, assents to, and if it were necessary for the greater authority, validity, and strength, approves and confirms the renunciation which his Majesty is pleased to make for himself, and in the name of all his Royal descendants, to the succession which possibly may happen of the monarchy of France, with this circumstance, that the like renunciation to this crown is to be executed by the Princes of that Royal family, and their descendants: and likewise the perpetual exclusion of the House of Austria from the dominions of this monarchy; and in like manner, in case of failure (which God forbid) of the Royal issue of his Majesty, the calling of the House of the Duke of Savoy, and of all his sons, and male descendants, born in constant lawful matrimony; and in default of all these lines, of the Prince Amadeus of Carignan, his sons, and male descendants, born in constant lawful matrimony; and in failure thereof, of the Prince Thomas, brother of the said Prince of Carignan, his sons, and male descendants, born in constant lawful matrimony, who as descendants of the Infanta Donna Catharina, daughter of Philip the Second, and being expressly called, have a clear and known right, supposing the friendship and perpetual alliance with this crown, which ought to be sought and obtained by the Duke of Savoy, and his descendants. And that the kingdom approves, agrees to, and ratifies all these three things, and each of them,

them, with the same qualities, conditions, and suppositions, as are expressed, inferred, and concluded in the said instrument of renunciation executed by his Majesty, which has been mentioned and referred to. And lastly, that for securing and establishing the strength of these treaties, these kingdoms oblige themselves, with all their power and force, to cause to be maintained the Royal resolutions of his Majesty, sacrificing in his Royal service, even to the last drop of their blood, offering to his Majesty their lives and fortunes in token of their love. And that for the eternal remembrance and observance of the Royal deliberation of his Majesty, and agreement of the kingdom, it be desired in their name (as in effect they have desired and petitioned by their representation and consultation made the same ninth day of this month) that his Majesty would be pleased to order, that by annulling all that shall be found to the contrary, it be established as a fundamental law, as well the aforesaid renunciations, as the perpetual exclusion of the House of Austria from the dominions of this crown, and the calling of that of Savoy to the succession of these kingdoms, in default (which God forbid) of descendants from his Majesty; which the kingdom, with the approbation of his Majesty, does even now agree to, as the foundation whereon depends the greatest good and advantage of this monarchy, so much pursued, favoured, and exalted by the Royal benevolence of his Majesty.

And the King our lord, having agreed to this unanimous and uniform resolution and representation of all the knights deputies in the Cortes of the kingdom, he has been pleased, by his Royal decree of the seventeenth of this month, to command it to be remitted to his supreme council, jointly with the writing of renunciation, ordaining that the tenor of the law be forthwith formed, extended, and disposed, with all the circumstances of clearness and strength, for its more inviolable and perpetual observation.

As all that is abovesaid does more largely appear from the aforementioned instruments, the resolution, and supplication of the kingdom, which are cited, and to which I refer. And this certificate, signed with my hand, sealed with the seal of the Royal arms of his Majesty, I give by virtue of his Royal order, in the paper of the Marquis of Mejorada and of Breña, one of his Council, Gentleman of his Chamber, his Secretary of State, and of the universal dispatch. At Madrid, the ninth of November, 1712.

(L. S.) *Don Francisco de Quincoces.*

CHARLES, son of France, Duke of Berry, Alençon, and Angoulesme, Viscount of Vernon, Andely, and Gisors, Lord of the Chatellenies of Cognac and Merpins; to all Kings, Princes, Commonwealths, Communities, and to all other bodies, and private persons, present and to come, be it known. All the Powers of Europe finding themselves almost ruined on account of the present wars, which have carried desolation to the frontiers, and into many other parts of the richest monarchies, and other dominions, it has been agreed, in the conferences and treaties of peace which are negotiating with Great Britain, to establish an equilibrium, and political boundaries between the kingdoms, whereof the interests have been, and are still, the sad occasion of a bloody dispute; and to hold it for a fundamental maxim, in order to preserve this peace, that provision ought to be made that the forces of these kingdoms may not become formidable, nor be able to cause any jealousy, which, it has been thought, cannot be settled more solidly, than by hindering them from extending themselves, and by keeping a certain proportion, to the end that the weaker being united together may defend themselves against the more powerful, and support themselves respectively against their equals.

For this purpose the King, our most honoured lord and grandfather, and the King of Spain, our most dear brother, have agreed and concluded with the Queen of Great

Great Britain, that reciprocal renunciations shall be made by all the Princes, both present and to come, of the crown of France, and of that of Spain, of all rights which may appertain to each of them, to the succession of the one or of the other kingdom, by establishing an habitual right to the succession to the crown of Spain, in that line which shall be made capable thereof, and declared immediate after that of King Philip the Fifth our brother, by the Estates of Spain, who were to assemble for this purpose; by making an immoveable balance to maintain the equilibrium, which is intended to be placed in Europe, and by going on to particularise all the cases of union which are foreseen, to serve as an example for all such as may happen. It has likewise been agreed and concluded between the King our most honoured lord and grandfather, King Philip the Fifth, our brother, and the Queen of Great Britain, that the said King Philip shall renounce for himself, and for all his descendants, the hopes of succeeding to the crown of France; that on our side we shall renounce in like manner, for us, and for our descendants, the crown of Spain; that the Duke of Orleans, our most dear uncle, shall do the same thing: so that all the lines of France and of Spain, respectively and relatively, shall be excluded for ever, and by all kind of ways, from all the right which the lines of France might have to the crown of Spain, and the lines of Spain to the crown of France: and lastly, that care shall be taken, that under pretence of the said renunciations, or under any other pretence whatsoever, the House of Austria may not make use of the pretensions which it might have to the succession of the monarchy of Spain; forasmuch as by uniting this monarchy to the hereditary countries and dominions of that House, it would become formidable, even without the union of the Empire, to the other Powers, which are between both, and which would find themselves as it were surrounded; which would destroy the equality that is establishing at present, to secure  
and

and strengthen more perfectly the peace of Christendom, and to take away all manner of jealousy from the Powers of the North and of the West, which is the end that is proposed by this political equilibrium, by removing and excluding all these branches, and calling to the crown of Spain, in default of the lines of King Philip the Fifth, our brother, and of all his children and descendants, the House of the Duke of Savoy, which descends from the Infanta Catharina, daughter of Philip the Second; it having been considered, that in making the said House of Savoy succeed immediately in this manner, this equality and balance between the three Powers may be fixed as it were in its centre, without which it would be impossible to extinguish the flame of war which has been kindled, and is capable of destroying every thing.

Being willing therefore to concur by our relinquishment, and by the abdication of all our rights, for us, our successors and descendants, to the establishing of the universal repose, and the securing the peace of Europe, because we believe that this method is the surest and most effectual in the terrible circumstances of this conjuncture, we have resolved to renounce the hopes of succeeding to the crown of Spain, and all the rights thereunto, which belong to us, and may belong to us, under any title, and by any means whatsoever. And to the end that this resolution may have its full effect, and also by reason that King Philip the Fifth, our brother, did on his part, the fifth of this present month of November, make his renunciation of the crown of France, we of our mere, free, and frank will, and without being moved thereunto by any respectful awe, or by any other regard, except those above-mentioned, do declare, and hold ourselves from this present, we, our children, and descendants, excluded and disabled absolutely for ever, without limitation or distinction of persons, degrees, or sexes, from every act, and from all right of succeeding to the crown of Spain. We will and consent, for us, our said children, and descendants,



scendants, that from this time, and for ever, we and they, in consequence of these presents, be held to be excluded and disabled, in like manner as all the other descendants of the House of Austria, who, as it has been said and supposed, ought also to be excluded, in whatever degree we may be, both the one and the other; and if the succession falls to us, our line, that of all our descendants, and all the others of the House of Austria, as it has been said, ought to be separated and excluded therefrom. That for this reason the kingdom of Spain be accounted as devolved and transferred to him, to whom in such case the succession ought to devolve and be transferred at any time whatsoever, so that we do take and hold him for true and lawful successor, because for the same reasons and motives, and in consequence of these presents, neither we, nor our descendants, ought any more to be considered as having any foundation of representation, active or passive, or making any continuation of line effective, or contentive of substance, blood or quality, or likewise to derive any right from our descent, or to reckon our degrees from the persons of the Queen Maria Theresa of Austria, our most honoured lady and grandmother, of the Queen Anne of Austria, our most honoured lady and great-grandmother, or of the glorious Kings their ancestors; on the contrary, we ratify the clauses of their wills, and the renunciations made by the said ladies, our grandmother and great-grandmother; we renounce likewise the right which may belong to us, and to our children and descendants, by virtue of the will of King Charles the Second, which, notwithstanding what is above-mentioned, calls us to the succession of the crown of Spain, in case of failure of the line of Philip the Fifth. We therefore relinquish this right, and renounce the same, for us, our children, and descendants; we promise and engage, for us, our said children and descendants, to employ ourselves with all our might in causing this present act to be fulfilled, without allowing or suffering that the same be violated, directly

directly or indirectly, in the whole or in part; and we relinquish all means, ordinary or extraordinary, which by common right, or by any special privilege, might belong to us, our children, and descendants; which means we likewise renounce absolutely and particularly, that of evident, enormous, and most enormous prejudice, which may be found in the said renunciation of the succession to the crown of Spain. And we will, that none of the said means may or can have any effect, and that if, under this pretext, or any other colour, we would possess ourselves of the said kingdom by force of arms, the war which we should make, or stir up, be deemed unjust, unlawful, and unduly undertaken. And on the contrary, that the war which he should make upon us, who by virtue of this renunciation should have right to succeed to the crown of Spain, be deemed just and allowable. And that all the subjects and people of Spain do acknowledge him, obey him, defend him, do him homage, and swear fealty to him, as to their King and lawful lord.

And for the greater security of all that we say and promise for ourselves, and in the name of our children and descendants, we swear solemnly on the Gospels contained in this Missal, upon which we lay our right hand, that we will keep, maintain, and fulfil the same in all and every part thereof; that we will never ask to be relieved from the same, and if any one do ask it for us, or if it be granted us *motu proprio*, we will not make use or take advantage of it. But rather, in case it should be granted us, we over and above make this other oath, and this shall subsist and remain for ever, whatever dispensations may be granted us. We swear and promise likewise, that we have not made, neither will we make, in public or in secret; any protestation or reclamation to the contrary, which may hinder what is contained in these presents, or lessen the force thereof; and if we should make any, whatever oaths they may be accompanied with, they shall not have any force or virtue, or produce any effect.

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In witness whereof, and to render these presents authentic, they have been passed before masters Alexander le Fevre, and Anthony le Moyne, counsellors to the King, notaries, minute-keepers to his Majesty, and seal-keepers in the Chatelet of Paris, here-under written, who have wholly delivered this present act; and for causing these presents to be published and registered, wherever it shall be necessary, my Lord the Duke of Berry has constituted the bearers of these dispatches, by duplicates thereof, his general and special attornies, to whom my said Lord has, by these said presents, given special power and authority in that behalf. At Marly, the twenty-fourth day of November, 1712, before noon, and has signed the present duplicate and another, and the minute thereof remaining in the hands of the said le Moyne, notary.

(Signed) CHARLES.

*Le Fevre, Le Moyne.*

WE Jerome d'Argouges, Knight, Lord of Fleury, counsellor to the King in his councils, honorary master of the requests of his household, civil lieutenant of the city, provostship, and vicounty of Paris, do certify to all to whom it may appertain, that masters Alexander le Fevre, and Anthony le Moyne, who have signed the act on the other side, are counsellors to the King, notaries, minute-keepers to his Majesty, and seal-keepers at the Chatelet of Paris, and that faith is to be given, as well in court as out of it, to the acts received by them. In witness whereof, we have signed these presents, caused the same to be countersigned by our secretary, and the seal of our arms to be affixed. At Paris, the twenty-fourth of November, 1712.

(Signed) *D'Argouges.*

By my said Lord, *Barbey.*

Read and published, the court sitting, and registered in the rolls of the court, the King's attorney general being heard, and moving for the same, in  
order

order to its being executed according to its form and tenor, in pursuance of and in conformity to the acts of this day. At Paris, in parliament, the fifteenth of March, 1713.

(Signed)

*Dangois.*

PHILIP, grandson of France, Duke of Orleans, Valois, Chartres, and Nemours: to all Kings, Princes, Commonwealths, Potentates, Communities, and to all persons, as well present as to come, we make known by these presents, that the fear of the union of the crowns of France and Spain, having been the principal motive of the present war, and the other Powers of Europe having always apprehended lest these two crowns should come upon one head, it has been laid down as the foundation of the peace, which is treated of at present; and which it is hoped may be cemented more and more, for the repose of such a number of countries which have sacrificed themselves, as so many victims, to oppose the dangers wherewith they thought themselves threatened, that it was necessary to establish a kind of equality and equilibrium between the Princes who were in dispute, and to separate for ever, in an irrevocable manner, the rights which they pretend to have, and which they defended, sword in hand, with a reciprocal slaughter on each side.

That with intent to establish this equality, the Queen of Great Britain proposed, and upon her instances it has been agreed by the King, our most honoured lord and uncle, and by the Catholic King, our most dear nephew, that for avoding at any time whatsoever the union of the crowns of France and Spain, reciprocal renunciations should be made, that is to say, by the Catholic King Philip the Fifth our nephew, for himself, and for all his descendants, of the succession to the crown of France; as also by the Duke of Berry, our most dear nephew, and by us, for ourselves, and for all our descendants, of the crown of Spain; on condition likewise, that neither the

House of Austria, nor any of the descendants thereof, shall be able to succeed to the crown of Spain, because this House itself, without the union of the Empire, would become formidable, if it should add a new power to its ancient dominions; and consequently this equilibrium, which is designed to be established for the good of the Princes and States of Europe, would cease. Now it is certain, that without this equilibrium, either the states suffer from the weight of their own greatness, or envy engages their neighbours to make alliances to attack them, and to reduce them to such a point, that these great Powers may inspire less fear, and may not aspire to an universal monarchy.

For attaining the end which is proposed, and by reason that his Catholic Majesty has on his part made his renunciation the fifth of this present month, we consent that, in failure of Philip the Fifth, our nephew, and of his descendants, the crown of Spain do pass over to the House of the Duke of Savoy, whose rights are clear and known, inasmuch as he descends from the Infanta Catharina, daughter of Philip the Second, and as he is called by the other Kings his successors; so that his right to the succession of Spain is indisputable.

And we desiring on our side to concur towards the glorious end, which is proposed for re-establishing the public tranquillity, and for preventing the fears which the rights of our birth, or all others which might appertain unto us, might occasion, have resolved to make this relinquishment, this abdication, and this renunciation of all our rights, for ourselves, and in the name of all our successors and descendants; and for the accomplishing of this resolution, which we have taken of our mere, free, and frank will, we declare and hold ourselves from this present, us, our children, and descendants, for excluded and disabled, absolutely, and for ever, and without limitation or distinction of persons, of degrees, and of sexes, from every act, and from

from all right of succeeding to the crown of Spain. We will and consent, for us and our descendants, that from this time, and for ever, we be held, we and ours, for excluded, disabled, and incapacitated, in whatever degree we may happen to be, and in what manner soever the succession may fall to our line, and to all others, whether of the House of France or of that of Austria, and of all the descendants both of the one and the other House, which, as it is said and supposed, ought likewise to hold themselves for cut off and excluded; and that for this reason, the succession to the said crown of Spain be deemed to be devolved and transferred to him to whom the succession of Spain ought to be transferred, in such case, and at any time whatsoever; so that we do take and hold him for true and lawful successor, because neither we, nor our descendants, ought any more to be considered as having any foundation of representation, active or passive, or making a continuation of a line effective, or contentive of substance, blood, or quality, nor ought we to derive any right from our descent, or reckon the degrees from Queen Anne of Austria, our most honoured lady and grandmother, nor from the glorious Kings her ancestors. On the contrary, we ratify the renunciation which the said lady Queen Anne made, and all the clauses which the kings Philip the Third and Philip the Fourth inserted in their wills. We renounce in like manner all the right which may appertain to us, and to our children and descendants, by virtue of the declaration made at Madrid, the twenty-ninth of October, 1703, by Philip the Fifth King of Spain, our nephew; and any right which might appertain to us, for us, and our descendants, we relinquish the same, and renounce it for us and for them; we promise and engage, for us, our said children and descendants, present and to come, to employ ourselves, with all our might, in causing these presents to be observed and fulfilled, without allowing or suffering that directly or indirectly the same be violated, whether in the whole

or in part. And we relinquish all means, ordinary or extraordinary, which by common right, or any special privilege, might appertain to us, our children, and descendants; which means we renounce absolutely, and in particular that of evident, enormous, and most enormous prejudice, which may be found in the renunciation of the succession to the said crown of Spain; and we will that any of the said means neither may nor can serve or avail us. And if under this pretext, or any other colour whatever, we would possess ourselves of the said kingdom of Spain by force of arms, that the war which we should make, or stir up, be held for unjust, unlawful, and unduly undertaken; and that on the contrary, that which he should make upon us, who by virtue of this renunciation should have right to succeed to the crown of Spain, be held for just and allowable; and that all the subjects and people of Spain do acknowledge him, obey him, defend him, do homage to him, and take the oath of fealty to him, as to their King and lawful lord.

And for the greater assurance and security of all that we say and promise, for us, and in the name of our successors and descendants, we swear solemnly on the holy Gospels contained in this Missal, whereon we lay our right hand, that we will keep, maintain, and fulfil the same, wholly and entirely; and that we will at no time ask to have ourselves relieved therefrom; and if any person asks it, or if it is granted us *motu proprio*, we will not make use or avail ourselves thereof; but rather, in case it should be granted us, we make another oath, that this shall subsist and remain for ever, what dispensation soever may be granted us. We further swear and promise, that we have not made, neither will we make, either in public or in secret, any protestation or reclamation to the contrary, which may hinder that which is contained in these presents, or lessen the force thereof, and if we should make any, what oath soever they may be attended with, they shall

shall not have either force or virtue, or produce any effect.

And for greater security, we have passed and do pass the present act of renunciation, abdication, and relinquishment, before masters Anthony le Moyne and Alexander le Fevre, counsellors to the King, notaries, minute-keepers, and seal-keepers at the Chatelet of Paris, here-under written, in our palace royal at Paris, 1712, the nineteenth of November, before noon; and for causing these presents to be insinuated and registered in every place where it shall appertain, we have constituted the bearer to be our attorney, and we have signed these presents, and the minute thereof remaining in the possession of the said le Fevre, notary.

*Philip of Orleans.*

*Le Moyne, Le Fevre.*

WE Jerome d'Argouges, Knight, Lord of Fleury, counsellor to the King in his councils, honorary master of the requests of his household, civil lieutenant of the city, provostship, and vicounty of Paris, do certify to all to whom it shall appertain, that master Anthony le Moyne, and Alexander le Fevre, who have signed the act of renunciation on the other side, are counsellors to the King, notaries at the Chatelet of Paris, and that faith ought to be given, as well in judgment as out of the same, to the acts by them received. In witness whereof we have signed these presents, caused the same to be counter-signed by our secretary, and the seal of our arms to be affixed. At Paris, the twenty-first of November, 1712.

(Signed) *D'Argouges.*

By my said Lord, *Barbey.*

Read and published, the court being assembled, and registered in the rolls of the court, the King's attorney general being heard, and requiring the



same, that it may be executed according to its form and tenor, in pursuance of, and in conformity to the acts of this day. At Paris, in Parliament, the fifteenth of March, 1713.

(Signed)

*Dongois.*

*The King's Letters Patents of the Month of December, 1700.*

LEWIS, by the grace of God, King of France and Navarre, to all present and to come, greeting. The prosperities which it has pleased God to heap upon us during the course of our reign, are so many motives to us, to apply ourselves, not only for the time present, but also for the future, to the happiness and tranquillity of the people whereof Divine Providence has entrusted to us the government. His impenetrable judgments let us only see, that we ought not to place our confidence, neither in our forces, nor in the extent of our dominions, nor in a numerous posterity; and that these advantages, which we receive from his goodness alone, have no other solidity than what it pleases him to give them. But as it is, however, his will, that the Kings, whom he chooses to lead his people, should foresee afar off the events able to produce disorders, and the most bloody wars; that they should make use of the lights, which his divine wisdom pours upon them; we fulfil his designs, when, in the midst of the universal rejoicings of our kingdom, we look upon, as a possible thing, a sad futurity, which we pray God to avert for ever. At the same time that we accept the will of the late King of Spain; that our most dear and most beloved son the Dauphin renounces his lawful right to that crown, in favour of his second son the Duke of Anjou, our most dear and most beloved grandson, instituted by the late King of Spain, his universal heir; that this Prince, known at present by the name of Philip the Fifth, King of Spain, is ready to enter his kingdom, and to answer the earnest wishes of  
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his new subjects; this great event does not hinder us from carrying our views beyond the time present, and when our succession appears the best established, we judge it to be equally the duty of a King, and of a Father, to declare, for the future, our will conformably to the sentiments which these two qualities inspire in us. Wherefore, being persuaded that the King of Spain, our grandson, will always preserve for us, for our house, for the kingdom wherein he is born, the same tenderness, and the same sentiments, whereof he has given us so many proofs, that his example, uniting his new subjects to ours, is going to form a perpetual amity, and the most perfect correspondence between them; we should think likewise that we do him an injustice, whereof we are incapable, and occasion an irreparable prejudice to our kingdom, if we should hereafter look upon as a stranger, a Prince, whom we grant to the unanimous requests of the Spanish nation.

For these causes, and other great considerations us hereunto moving, of our special grace, full power, and royal authority, we have resolved, declared, and ordained, and by these presents, signed with our hand, we do resolve, declare, and ordain, we will, and it is our pleasure, that our most dear and most beloved grandson the King of Spain do preserve for ever the rights of his birth, in the same manner as if he made his actual residence in our kingdom; wherefore our most dear and most beloved only son the Dauphin, being the true and lawful successor and heir of our crown, and of our dominions, and after him our most dear and most beloved grandson the Duke of Burgundy, if it should happen (which God forbid) that our said grandson the Duke of Burgundy should come to die without male children, or that those which he should have in good and lawful marriage should die before him, or if the said male children should not leave any male children after them, born in lawful marriage, in such case our said grandson the

King of Spain, making use of the rights of his birth, is to be the true and lawful successor to our crown, and to our dominions, notwithstanding he should be at that time absent, and residing out of our said kingdom; and immediately after his decease, his heirs male begot in lawful marriage, shall come into the said succession, notwithstanding that they may be born, or that they may dwell out of our kingdom; we will that, for the abovesaid causes, neither our said grandson the King of Spain, nor his children, being males, be deemed and reputed less able and capable to enter upon the said succession, or upon others which may fall to them within our said kingdom. On the contrary, we intend, that all rights, and generally other things whatever, which may at present, or for the future, belong and appertain to them, be and remain preserved whole and intire, as if they did reside and dwell constantly within our kingdom to the time of their decease, and as if their heirs had been natives and inhabitants of the kingdom; having for this purpose, as far as there is or shall be need, enabled and dispensed with them, as we do enable and dispense with them by these presents. And so we give it in command to our beloved and trusty counsellors, the members of our Court of Parliament, and Chamber of our Accounts at Paris, Presidents and Treasurers General of France in the office of our Exchequer established in the same place, and to all others our officers and justices to whom it shall appertain, that they cause these presents to be registered, and our said grandson the King of Spain, his children and descendants, being male, born in lawful marriage, to enjoy and use the contents thereof, fully and peaceably, any thing to the contrary notwithstanding; to which, by our grace and authority, as abovesaid, we have derogated, and do derogate; for this is our pleasure. And that this may be a matter firm and lasting forever, we have caused our seal to be put to these presents. Given at Versailles, in the month of Decem-  
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ber, in the year of our Lord 1700, and of our reign the 58th. Signed LEWIS; and on the fold, By the King, *Phelipeaux*; and sealed with the great seal on green wax, with strings of red and green silk.

Registered, the King's attorney general being heard, and requiring the same, in order to their being executed according to their form and tenor, pursuant to the act of this day. At Paris, in Parliament, the first of February, 1701.

(Signed) *Dongois.*

NOW whereas it is provided and settled by the preceding renunciation (which is always to have the force of a pragmatic, fundamental, and inviolable law) that at no time whatever either the Catholic King himself, or any one of his lineage, shall seek to obtain the crown of France, or ascend the throne thereof; and by reciprocal renunciations on the part of France, and by settlements of the hereditary succession there, tending to the same purpose, the crowns of France and Spain are so divided and separated from each other, that the aforesaid renunciations, and the other transactions relating thereto, remaining in force, and being truly and faithfully observed, they can never be joined in one. Wherefore the most Serene Queen of Great Britain, and the most Serene the most Christian King, engage to each other solemnly, and on their Royal words, that nothing ever shall be done by them, or their heirs and successors, or allowed to be done by others, whereby the aforesaid renunciations, and the other transactions aforementioned, may not have their full effect: but rather, on the contrary, their Royal Majesties, with joint counsels and forces, will always sincerely take that care, and use those endeavours, that the said foundations of the public safety may remain unshaken, and be preserved untouched for ever.

Moreover, the most Christian King consents and engages, that he will not, for the interest of his subjects,

jects, hereafter endeavour to obtain, or accept of any other usage of navigation and trade to Spain, and the Spanish Indies, than what was practised there in the reign of the late King Charles the Second of Spain, or than what shall likewise be fully given and granted, at the same time, to other nations and people concerned in trade.

VII. That there be a free use of navigation and commerce between the subjects of both their Royal Majesties, as it was formerly in time of peace, and before the declaration of this last war, and also as it is agreed and concluded by the treaty of commerce this day made between the two nations.

VIII. That the ordinary distribution of justice be revived, and open again, through the kingdoms and dominions of each of their Royal Majesties, so that it may be free for all the subjects on both sides to sue for and obtain their rights, pretensions, and actions, according to the laws, constitutions, and statutes of each kingdom.

IX. The most Christian King shall take care that all the fortifications of the city of Dunkirk be razed, that the harbour be filled up, and that the sluices or moles which serve to cleanse the harbour be levelled, and that at the said King's own expence, within the space of five months after the conditions of peace are concluded and signed; that is to say, the fortifications towards the sea, within the space of two months, and those towards the land, together with the said banks, within three months; on this express condition also, that the said fortifications, harbour, moles, or sluices, be never repaired again. All which shall not, however, be begun to be ruined, till after that every thing is put into his Christian Majesty's hands, which is to be given him, instead thereof, or as an equivalent.

X. The said most Christian King shall restore to the kingdom and Queen of Great Britain, to be possessed

possessed in full right for ever, the bay and streights of Hudson, together with all lands, seas, sea-coasts, rivers, and places situate in the said bay and streights, and which belong thereunto, no tracts of land or of sea being excepted, which are at present possessed by the subjects of France. All which, as well as any buildings there made, in the condition they now are, and likewise all fortresses there erected, either before or since the French seized the same; shall, within six months from the ratification of the present treaty, or sooner, if possible, be well and truly delivered to the British subjects, having commission from the Queen of Great Britain to demand and receive the same, entire and undemolished, together with all the cannon and cannon-ball which are therein, as also with a quantity of powder, if it be there found, in proportion to the cannon-ball, and with the other provision of war usually belonging to cannon. It is, however, provided, that it may be entirely free for the company of Quebec, and all other the subjects of the most Christian King whatsoever, to go by land, or by sea, whithersoever they please, out of the lands of the said bay, together with all their goods, merchandizes, arms, and effects, of what nature or condition soever, except such things as are above reserved in this article. But it is agreed on both sides, to determine within a year, by commissaries to be forthwith named by each party, the limits which are to be fixed between the said Bay of Hudson and the places appertaining to the French; which limits both the British and French subjects shall be wholly forbid to pass over, or thereby to go to each other by sea or by land. The same commissaries shall also have orders to describe and settle, in like manner, the boundaries between the other British and French colonies in those parts.

XI. The abovementioned most Christian King shall take care that satisfaction be given, according to the rule of justice and equity, to the English company trading to the Bay of Hudson, for all damages and spoil

spoil done to their colonies, ships, persons, and goods, by the hostile incursions and depredations of the French, in time of peace, an estimate being made thereof by commissaries to be named at the requisition of each party. The same commissaries shall moreover inquire as well into the complaints of the British subjects concerning ships taken by the French in time of peace, as also concerning the damages sustained last year in the island called Montserrat, and others, as into those things of which the French subjects complain, relating to the capitulation in the island of Nevis, and castle of Gambia, also to French ships, if perchance any such have been taken by British subjects in time of peace; and in like manner into all disputes of this kind, which shall be found to have arisen between both nations, and which are not yet ended; and due justice shall be done on both sides without delay.

XII. The most Christian King shall take care to have delivered to the Queen of Great Britain, on the same day that the ratifications of this treaty shall be exchanged, solemn and authentic letters, or instruments, by virtue whereof it shall appear, that the island of St. Christopher's is to be possessed alone hereafter by British subjects, likewise all Nova Scotia or Acadie, with its ancient boundaries, as also the city of Port Royal, now called Annapolis Royal, and all other things in those parts, which depend on the said lands and islands, together with the dominion, propriety, and possession of the said islands, lands, and places, and all right whatsoever, by treaties, or by any other way obtained, which the most Christian King, the crown of France, or any the subjects thereof, have hitherto had to the said islands, lands, and places, and the inhabitants of the same, are yielded and made over to the Queen of Great Britain, and to her crown, for ever, as the most Christian King doth at present yield and make over all the particulars aforesaid; and that in such ample manner and form, that the subjects

subjects of the most Christian King shall hereafter be excluded from all kind of fishing in the said seas, bays, and other places, on the coasts of Nova Scotia, that is to say, on those which lie towards the east, within 30 leagues, beginning from the island commonly called Sable, inclusively, and thence stretching along towards the south-west.

XIII. The island called Newfoundland, with the adjacent islands, shall from this time forward belong of right wholly to Britain; and to that end the town and fortrefs of Placentia, and whatever other places in the said island are in the possession of the French, shall be yielded and given up, within seven months from the exchange of the ratifications of this treaty, or sooner, if possible, by the most Christian King, to those who have a commission from the Queen of Great Britain for that purpose. Nor shall the most Christian King, his heirs and successors, or any of their subjects, at any time hereafter, lay claim to any right to the said island and islands, or to any part of it, or them. Moreover, it shall not be lawful for the subjects of France to fortify any place in the said island of Newfoundland, or to erect any buildings there, besides stages made of boards, and huts necessary and usual for drying of fish; or to resort to the said island, beyond the time necessary for fishing, and drying of fish. But it shall be allowed to the subjects of France to catch fish, and to dry them on land, in that part only, and in no other besides that, of the said island of Newfoundland, which stretches from the place called Cape Bonavista to the northern point of the said island, and from thence running down by the western side, reaches as far as the place called Point Riche. But the island called Cape Breton, as also all others, both in the mouth of the river of St. Lawrence, and in the gulph of the same name, shall hereafter belong of right to the French, and the most Christian King shall have all manner of liberty to fortify any place or places there.

XIV. It



XIV. It is expressly provided, that in all the said places and colonies to be yielded and restored by the most Christian King, in pursuance of this treaty, the subjects of the said King may have liberty to remove themselves, within a year, to any other place, as they shall think fit, together with all their moveable effects. But those who are willing to remain there, and to be subject to the kingdom of Great Britain, are to enjoy the free exercise of their religion, according to the usage of the church of Rome, as far as the laws of Great Britain do allow the same.

XV. The subjects of France inhabiting Canada, and others, shall hereafter give no hinderance or molestation to the five nations or cantons of Indians, subject to the dominion of Great Britain, nor to the other natives of America, who are friends to the same. In like manner, the subjects of Great Britain shall behave themselves peaceably towards the Americans who are subjects or friends to France; and on both sides they shall enjoy full liberty of going and coming on account of trade. As also the natives of those countries shall, with the same liberty, resort, as they please, to the British and French colonies, for promoting trade on one side and the other, without any molestation or hinderance, either on the part of the British subjects or of the French. But it is to be exactly and distinctly settled by commissaries, who are, and who ought to be accounted the subjects and friends of Britain or of France.

XVI. That all letters, as well of reprisal as of mark and counter-mark, which have hitherto on any account been granted on either side, be and remain null, void, and of no effect; and that no letters of this kind be hereafter granted by either of their said Royal Majesties, against the subjects of the other, unless there shall have been plain proof beforehand of a denial or wrongful delay of justice; and unless the petition of him, who desires the grant of letters of reprisal,

prifal, be exhibited and shewn to the minister, who resides there in the name of that Prince, against whose subjects those letters are demanded, that he within the space of four months, or sooner, may make enquiry to the contrary, or procure that satisfaction be forthwith given to the plaintiff by the party accused. But in case no minister be residing there from that Prince, against whose subjects reprisals are demanded, that letters of reprisal be not granted till after the space of four months, to be computed from the day whereon the petition was exhibited and presented to the Prince, against whose subjects reprisals are desired, or to his privy council.

XVII. Whereas it is expressly stipulated, among the conditions of the suspension of arms, made between the abovementioned contracting parties the  $\frac{1}{2}$  day of August last past, and afterwards prolonged for four months more, in what cases ships, merchandizes, and other moveable effects, taken on either side, should either become prize to the captor, or be restored to the former proprietor; it is therefore agreed, that in those cases the conditions of the aforesaid suspension of arms shall remain in full force, and that all things relating to such captures, made either in the British and Northern seas, or in any other place, shall be well and truly executed according to the tenor of the same.

XVIII. But in case it happen through inadvertency, or imprudence, or any other cause whatsoever, that any subject of their aforesaid Royal Majesties do or commit any thing, by land, by sea, or on fresh waters, in any part of the world, whereby this present treaty be not observed, or whereby any particular article of the same hath not its effect, this peace and good correspondence, between the Queen of Great Britain and the most Christian King, shall not be therefore interrupted or broken, but shall remain in its former strength, force, and vigour. But that subject

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ject alone shall be answerable for his own fact, and shall suffer the punishment which is inflicted by the rules and directions of the law of nations.

XIX. However, in case (which God Almighty forbid) the dissensions which have been laid asleep should at any time be renewed, between their said Royal Majesties, or their successors, and break out into open war, the ships, merchandizes, and all the effects, both moveable and immoveable, on both sides, which shall be found to be and remain in the ports, and in the dominions of the adverse party, shall not be confiscated, or any wise endamaged; but the entire space of six months, to be reckoned from the day of the rupture, shall be allowed to the said subjects of each of their Royal Majesties, in which they may sell the aforesaid things, or any part else of their effects, or carry and remove them from thence whither they please, without any molestation, and retire from thence themselves.

XX. Just and reasonable satisfaction shall be given to all and singular the allies of the Queen of Great Britain, in those matters which they have a right to demand from France.

XXI. The most Christian King will, in consideration of the friendship of the Queen of Great Britain, grant, that in making the treaty with the Empire, all things concerning the state of religion, in the aforesaid Empire, shall be settled conformable to the tenor of the treaties of Westphalia, so that it shall plainly appear, that the most Christian King neither will have, nor would have had any alteration made in the said treaties.

XXII. Moreover, the most Christian King engages, that he will forthwith, after the peace is made, cause justice to be done to the family of Hamilton, concerning the dukedom of Chatelraut; to the Duke of Richmond, concerning such requests as he has to make

make in France; as also to Charles Douglas, concerning certain lands to be reclaimed by him, and to others.

XXIII. By the mutual consent of the Queen of Great Britain, and of the most Christian King, the subjects of each party, who were taken prisoners during the war, shall be set at liberty, without any distinction or ransom, paying such debts as they shall have contracted in the time of their being prisoners.

XXIV. It is mutually agreed, that all and singular the conditions of the peace, made this day between his Sacred Royal most Christian Majesty, and his Sacred Royal Majesty of Portugal, be confirmed by this treaty; and her Sacred Royal Majesty of Great Britain takes upon herself the guaranty of the same, to the end that it may be more firmly and inviolably observed.

XXV. The treaty of peace made this day between his Sacred Royal most Christian Majesty, and his Royal Highness the Duke of Savoy, is particularly included in this treaty, as an essential part of it, and is confirmed by it, in the same manner as if it were word for word inserted therein; her Royal Majesty of Great Britain declaring expressly, that she will be bound by the stipulations of security and guaranty promised therein, as well as by those which she has formerly taken upon herself.

XXVI. The most Serene King of Sweden, with his kingdoms, dominions, provinces, and rights, as also the Great Duke of Tuscany, the Republic of Genoa, and the Duke of Parma, are in the best manner included in this treaty.

XXVII. Their Majesties have also been pleased to comprehend in this treaty the Hans-Towns, namely, Lubec, Bremen, and Hamburg, and the city of Dantzic, with this effect, that as soon as the general

peace shall be concluded, the Hans-Towns and the city of Dantzic may, for the future, as common friends, enjoy the ancient advantages which they have heretofore had in the business of trade, either by treaties or by old custom.

XXVIII. Those shall be comprehended in this present treaty of peace, who shall be named by common consent, on the one part and on the other, before the exchange of the ratifications, or within six months after.

XXIX. Lastly, Solemn ratifications of this present treaty, and made in due form, shall be exhibited on both sides at Utrecht, and mutually and duly exchanged within the space of four weeks, to be computed from the day of the signing, or sooner if possible.

XXX. In witness whereof, we the under-written Ambassadors Extraordinary and Plenipotentiaries of the Queen of Great Britain, and of the most Christian King, have put our seals to these present instruments, subscribed with our own hands, at Utrecht, the  $\frac{22}{11}$  day of  $\frac{\text{March}}{\text{April}}$ , in the year 1713.

(L. S.) *Job. Bristol, C. P. S.* (L. S.) *Huxelles.*  
 (L. S.) *Strafford.* (L. S.) *Mefnager.*

#### ANNE R.

ANNE, by the grace of God, Queen of Great Britain, France, and Ireland, Defender of the faith, &c. ; to all and singular to whom these presents shall come, greeting. Whereas the Congress that was held at Utrecht in the beginning of the last year, for making a general peace, has been drawn out into length above these fourteen months by various obstacles, which have been thrown in the way, contrary to our hopes and wishes; but now, by the favour and goodness of Almighty God (who has been pleased to inspire the love of concord more strongly into the breasts of the parties

parties engaged in war) it seems happily to tend towards the end so long desired, and so necessary for the tranquillity and welfare of Europe; we, having at last adjusted with our good brother the most Christian King our matters on both sides, relating both to peace and to commerce, to the end that our ministers, who have hitherto, under the title of Plenipotentiaries, applied themselves, with our highest approbation, to the discharge of this employment, may, with greater splendor, put an end to this most wholesome work, have thought fit to give them the most honourable character of our Ambassadors Extraordinary. Now know ye, that we reposing especial confidence in the loyalty, industry, experience, and sagacity in managing matters of great importance, of the Right Reverend Father in God our right trusty and well-beloved Counsellor John Bishop of Bristol, Keeper of our Privy Seal, Dean of Windsor, and Register of our most Noble Order of the Garter; and of our right trusty and right well-beloved Cousin and Counsellor Thomas Earl of Strafford, Viscount Wentworth of Wentworth Woodhouse and Stainborough, Baron of Raby, Lieutenant General of our forces, First Commissioner of our Admiralty, Knight of our most Noble Order of the Garter, and our Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands; have named, made, and constituted them, as by these presents we do name, make, and constitute them, our true, certain, and undoubted Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, giving and granting to them, jointly and separately, all and all manner of power, faculty, and authority, as also both general and special order (but so as the general do not derogate from the special, nor on the contrary) to meet and confer in the city of Utrecht, or in any other place, with the Ambassadors Extraordinary and Plenipotentiaries, which the said most Christian King shall have deputed on his part, being furnished with suffi-

cient authority, and to treat, agree, and conclude concerning safe, lasting, and honourable conditions of peace and friendship between us and the said most Christian King; and to sign for us, and in our name, all such things as shall be so agreed and concluded; and to make out such and so many instruments of what is concluded, as shall be necessary, and to exchange and mutually receive the same; and generally to do and perform all such things as they shall judge necessary, or any way conducible towards making and settling the conditions of peace and friendship, as is abovesaid, in as ample manner and form, and with the like force and effect, as we ourselves might do and perform, if we were present; engaging and promising on our Royal word, that we will accept, approve, and ratify, in the same manner and form as they have been agreed, all and every thing that by virtue of these presents shall happen to be transacted, concluded, and signed by our said Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, jointly or separately. In witness and confirmation whereof we have commanded our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace of St. James's, the 24th day of the month of March, in the year of our Lord 171<sup>3</sup>/<sub>17</sub>, and of our reign the twelfth.

LEWIS, by the grace of God, King of France and Navarre, to all who shall see these presents, greeting. Whereas we have omitted nothing for contributing with all our might towards the re-establishment of a sincere and solid peace; and as our most dear and most beloved sister the Queen of Great Britain has shewn the same desire, and as there is room to hope, that the conferences which are held at Utrecht, for attaining to so desirable a good, will in a little time have a happy issue; and being willing likewise to apply all our care for promoting the effect thereof, and reposing entire confidence in the capacity, experience,

ence, zeal, and fidelity for our service, of our most dear and well-beloved cousin, the Marquis d'Huxelles, Marshal of France, Knight of our Orders, and our Lieutenant General of the government of Burgundy, and of our dear and well-beloved the Sieur Mefnager, Knight of our Order of St. Michael. For these causes, and other good considerations us hereunto moving, we have commissioned, ordained, and deputed, as by these presents, signed with our hand, we do commission, ordain, and depute the said Sieurs Marshal d'Huxelles and Mefnager, and have given, and do give to them full power, commission, and special command, in quality of our Ambassadors Extraordinary, and our Plenipotentiaries, to confer, negotiate, and treat with the Ambassadors Extraordinary, Plenipotentiaries of our said sister, provided with her powers in due form, to agree, conclude, and sign such treaties of peace, articles, and conventions, as they shall see good. We will that in case of absence of one of them by sickness, or through any other lawful cause, the other have the same power to confer, negotiate, treat, agree, conclude, and sign such treaties of peace, articles, and conventions, as shall be agreeable to the good of the peace which we propose to ourselves, and to the reciprocal advantage of our subjects, so that our said Ambassadors Extraordinary and Plenipotentiaries may act, in all which shall belong to the negotiation with our said sister, with the same authority as we should and might do, if we were present in person, although there should be something which might require a more special order than is contained in these presents. We promise, on the faith and word of a King, to approve, and to keep firm and lasting for ever, to fulfil and execute punctually, all that the said Sieurs Marshal d'Huxelles and Mefnager, or one of them, in the said cases of absence, or of sickness, shall stipulate, promise, and sign, by virtue of this present power, without ever acting contrary thereto, or permitting that any thing be done to the contrary, on



any cause, or under any pretence whatsoever; as likewise to cause our letters ratifying the same to be dispatched, in good form, and to cause them to be delivered, in order to be exchanged, within the time which shall be agreed on by the treaties to be made, For this is our pleasure. In witness whereof we have caused our seal to be affixed to these presents. Given at Versailles, the fourth day of March, in the year of our Lord 1713, and of our reign the seventieth. Signed LEWIS; and on the fold, By the King, *Colbert*.

[The following is printed from the copy, which was published by authority in 1713.

*The Treaty of Navigation and Commerce between the most Serene and most Potent Princess Anne, by the Grace of God, Queen of Great Britain, France, and Ireland, and the most Serene and most Potent Prince Lewis the XIVth, the most Christian King, concluded at Utrecht the 11<sup>th</sup> Day of <sup>March</sup>/<sub>April</sub> 1713.*

WHEREAS the most Serene and most Potent Princess and Lady Anne, by the grace of God, Queen of Great Britain, France, and Ireland, and the most Serene and most Potent Prince and Lord Lewis the Fourteenth, by the grace of God, the most Christian King, since they applied their minds, by the disposal of the Almighty, to the study of peace, have both been moved with an earnest desire to increase the advantages of their subjects, which are to arise therefrom, by a reciprocal liberty of navigation and commerce, which ought to be as well the principal fruit as establishment of peace: and to that end they have most graciously given instructions to their Ambassadors Extraordinary and Plenipotentiaries, going to the congress at Utrecht, that they should employ their utmost diligence and care both to re-establish peace, and to renew the former treaties of commerce between the two nations, and to adapt them to the present  
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state of affairs; that is to say, her Sacred Royal Majesty of Great Britain, to the Right Reverend John, by Divine permission, Bishop of Bristol, Keeper of the Privy Seal of England, one of her Majesty's Privy Council, Dean of Windsor, and Register of the most Noble Order of the Garter: as also to the most Noble, Illustrious, and Excellent Lord Thomas Earl of Strafford, Viscount Wentworth of Wentworth-Woodhouse, and Stainborough, Baron of Raby, one of her Majesty's Privy Council, her Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, Colonel of her Majesty's regiment of dragoons, Lieutenant General of her Majesty's forces, First Lord Commissioner of the Admiralty of Great Britain and Ireland, and Knight of the most Noble Order of the Garter: and his Sacred Royal most Christian Majesty, to the most Noble, Illustrious, and Excellent Lords Nicolas Marquis of Huxelles, Marshal of France, Knight of the King's Orders, and Lieutenant General of the dukedom of Burgundy; and Nicolas Mesnager, Knight of the King's Order of St. Michael. Whereupon the said Ambassadors, to the end that the design of their Royal Majesties, which is so pious and wholesome, might attain the desired effect, having had several conferences upon that affair, and having adjusted the principal matters on both sides, as far as they could in so short a time, after having communicated to each other, and duly exchanged, the full powers wherewith they were provided for this purpose, copies whereof are inserted word for word at the end of this instrument, have agreed upon articles of navigation and commerce, in manner and form as follows.

I. IT is agreed and concluded between the most Serene and most Potent Queen of Great Britain, and the most Serene and most Potent the most Christian King, that there shall be a reciprocal and entirely perfect liberty of navigation and commerce between the

subjects on each part, through all and every the kingdoms, states, dominions, and provinces of their Royal Majesties in Europe, concerning all and singular kinds of goods, in those places, and on those conditions, and in such manner and form, as is settled and adjusted in the following articles.

II. But that the commerce and friendship between the subjects of the abovesaid parties may be hereafter secure, and free from all trouble and molestation, it is agreed and concluded, that if at any time any ill understanding and breach of friendship, or rupture, should happen between the crowns of their Royal Majesties (which God forbid) in such case the term of six months shall be allowed, after the said rupture, to the subjects and inhabitants on each part, residing in the dominions of the other, in which they themselves may retire, together with their families, goods, merchandizes, and effects, and carry them whithersoever they shall please; as likewise at the same time the selling and disposing of their goods, both moveable and immoveable, shall be allowed them freely, and without any disturbance; and in the mean time their goods, effects, wares, and merchandizes, and particularly their persons, shall not be detained or troubled by arrest or seizure: but rather, in the mean while, the subjects on each side shall have and enjoy good and speedy justice, so that, during the said space of six months, they may be able to recover their goods and effects, entrusted as well to the public as to private persons.

III. It is likewise agreed and concluded, that the subjects and inhabitants of the kingdoms, provinces, and dominions of each of their Royal Majesties, shall exercise no acts of hostility and violence against each other, neither by sea nor by land, nor in rivers, streams, ports, or havens, under any colour or pretence whatsoever; so that the subjects of either party shall receive no patent, commission, or instruction, for arming and acting at sea as privateers, nor letters of reprisal, as they

they are called, from any princes or states, which are enemies to one side or the other; nor, by virtue or under colour of such patents, commissions, or reprisals, shall they disturb, or infect, or any way prejudice or damage the aforesaid subjects and inhabitants of the Queen of Great Britain, or of the most Christian King; neither shall they arm ships in such manner as is aforesaid, or go out to sea therewith. To which end, as often as it is required by either side, strict and express prohibitions shall be renewed and published in all the regions, dominions, and territories of each party where-soever, that no one shall in any wise use such commissions or letters of reprisal, under the severest punishment that can be inflicted on the transgressors, besides restitution and full satisfaction to be given to those to whom they have done any damage; neither shall any letters of reprisal be hereafter granted on either side, by the said confederates, to the detriment or disadvantage of the subjects of the other, except in such case only as justice is denied or delayed; to which denial or delay credit shall not be given, unless the petition of the person who desires the said letters of reprisal be communicated to the Minister residing there on the part of the Prince against whose subjects they are to be granted, that within the space of four months, or sooner, if it be possible, he may evince the contrary, or procure the performance of what is due to justice.

IV. The subjects and inhabitants of each of the aforesaid confederates shall have liberty, freely and securely, without licence or passport, general or special, by land or by sea, or any other way, to go into the kingdoms, countries, provinces, lands, islands, cities, villages, towns, walled or unwalled, fortified or unfortified, ports, dominions, or territories whatsoever, of the other confederate, in Europe, there to enter, and to return from thence, to abide there, or to pass through the same, and in the mean time to buy and purchase, as they please, all things necessary for their subsistence and use; and they shall be treated with all  
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mutual kindness and favour. Provided, however, that in all these matters they behave and comport themselves conformably to the laws and statutes, and live and converse with each other friendly and peaceably, and keep up reciprocal concord by all manner of good understanding.

V. The subjects of each of their Royal Majesties may have leave and licence to come with their ships, as also with the merchandizes and goods on board the same (the trade and importation whereof are not prohibited by the laws of either kingdom) to the lands, countries, cities, ports, places, and rivers of either side, in Europe, to enter into the same, to resort thereto, to remain and reside there, without any limitation of time; also to hire houses, or to lodge with other people, and to buy all lawful kinds of merchandizes, where they think fit, from the first workman or seller, or in any other manner, whether in the public market for the sale of things, in mart towns, fairs, or wheresoever those goods are manufactured or sold; they may likewise lay up and keep in their magazines and warehouses, and from thence expose to sale, merchandizes brought from other parts; neither shall they be in any wise obliged, unless willingly and of their own accord, to bring their said merchandizes to the marts and fairs, on this condition, however, that they shall not sell the same by retail in shops, or any where else. But they are not to be loaded with any impositions or taxes on account of the said freedom of trade, or for any other cause whatsoever, except what are to be paid for their ships and goods according to the laws and customs received in each kingdom. And moreover they shall have free leave, without any molestation, to remove themselves, also, if they shall happen to be married, their wives, children, and servants, together with their merchandizes, wares, goods, and effects, either bought or imported, whensoever and whithersoever they shall think fit, out of the bounds of each kingdom, by land and by sea, on the rivers and fresh waters, discharging  
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the usual duties, notwithstanding any law, privilege, grant, immunity, or custom, in any wise importing the contrary. But in the business of religion, there shall be an entire liberty allowed to the subjects of each of the confederates, as also, if they are married, to their wives and children; neither shall they be compelled to go to the churches, or to be present at the religious worship in any other place. On the contrary, they may, without any kind of molestation, perform their religious exercises after their own way, although it be forbid by the laws of the kingdom, privately and within their own walls, and without the admittance of any other persons whatsoever. Moreover, liberty shall not be refused to bury the subjects of either party, who die in the territories of the other, in convenient and decent places, to be appointed for that purpose, as occasion shall require; neither shall the dead bodies of those that are buried be any ways molested. The laws and statutes of each kingdom shall remain in full force, and shall be duly put in execution, whether they relate to commerce and navigation, or to any other right, those cases only being excepted, concerning which it is otherwise determined in the articles of this present treaty.

VI. The subjects of each party shall pay the tolls, customs, and duties of import and export through all the dominions and provinces of either party, as are due and accustomed. And, that it may be certainly known to every one what are all the said tolls, customs, and duties of import and export, it is likewise agreed, that tables shewing the customs, port-duties, and imposts, shall be kept in public places, both at London, and in other towns within the dominions of the Queen of Great Britain, and at Roan, and other towns of France, where trading is used; whereunto recourse may be had, as often as any question or dispute arises concerning such port-duties, customs, and imposts; which are to be demanded in such manner, and no otherwise, as shall be agreeable

agreeable to the plain words and genuine sense of the abovesaid tables. And if any officer, or other person in his name, shall, under any pretence, publicly or privately, directly or indirectly, ask or take of a merchant, or of any other person, any sum of money, or any thing else, on account of right, dues, stipend, exhibition, or compensation, although it be under the name of a free gift, or in any other manner, or under any other pretence, more, or otherwise, than what is prescribed above, in such case the said officer, or his deputy, if he be found guilty, and convicted of the same before a competent judge, in the country where the crime was committed, shall give full satisfaction to the party that is wronged, and shall likewise be punished according to the direction of the laws.

VII. Merchants, masters of ships, owners, mariners, men of all kinds, ships, and all merchandizes in general, and effects of one of the confederates, and of his subjects and inhabitants, shall on no public or private account, by virtue of any general or special edict, be seized in any the lands, ports, havens, shores, or dominions whatsoever of the other confederate, for the public use, for warlike expeditions, or for any other cause; much less, for the private use of any one, shall they be detained by arrests, compelled by violence, or under any colour thereof, or in any wise molested or injured. Moreover, it shall be unlawful for the subjects of both parties to take any thing, or to extort it by force, except the person to whom it belongs consent, and it be paid for with ready money. Which, however, is not to be understood of that detention and seizure which shall be made by the command and authority of justice, and by the ordinary methods, on account of debt, or crimes; in respect whereof the proceeding must be by way of law, according to the form of justice.

VIII. Furthermore, it is agreed and concluded, as a general rule, that all and singular the subjects of the most  
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Serene Queen of Great Britain, and of the most Serene the most Christian King, in all countries and places subject to their power on each side, as to all duties, impositions, or customs whatsoever, concerning persons, goods, and merchandizes, ships, freights, seamen, navigation, and commerce, shall use and enjoy the same privileges, liberties, and immunities at least, and have the like favour in all things, as well in the courts of justice, as in all such things as relate either to commerce, or to any other rights whatever, which any foreign nation, the most favoured, has, uses, and enjoys, or may hereafter have, use, and enjoy.

IX. It is further agreed, that within the space of two months after a law shall be made in Great Britain, whereby it shall be sufficiently provided, that no more customs or duties be paid for goods and merchandizes brought from France to Great Britain, than what are payable for goods and merchandizes of the like nature imported into Great Britain from any other country in Europe; and that all laws made in Great Britain since the year 1664, for prohibiting the importation of any goods and merchandizes coming from France, which were not prohibited before that time, be repealed; the general tariff made in France the 18th day of September in the year 1664, shall take place there again, and the duties payable in France by the subjects of Great Britain, for goods imported and exported, shall be paid according to the tenor of the tariff above-mentioned, and shall not exceed the rule therein settled, in the provinces whereof mention is there made; and in the other provinces the duty shall not be payable otherwise than according to the rule at that time prescribed: and all prohibitions, tariffs, edicts, declarations, or decrees, made in France since the said tariff of the year 1664, and contrary thereunto, in respect to the goods and merchandizes of Great Britain, shall be repealed. But whereas it is urged on the part of France, that certain merchandizes, that is to say, manufactures of wool, sugar, salted fish, and the product of whales, be  
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excepted



excepted out of the rule of the above-mentioned tariff, and likewise other heads of matters belonging to this treaty remain, which having been proposed on the part of Great Britain, have not yet been mutually adjusted, a specification of all which is contained in a separate instrument subscribed by the Ambassadors Extraordinary and Plenipotentiaries on both sides; it is hereby provided and agreed, that within two months from the exchange of the ratifications of this treaty, commissaries on both sides shall meet at London, to consider of and remove the difficulties concerning the merchandizes to be excepted out of the tariff of the year 1664, and concerning the other heads, which, as is above said, are not yet wholly adjusted. And at the same time the said commissaries shall likewise endeavour (which seems to be very much for the interest of both nations) to have the methods of commerce on one part, and of the other, more thoroughly examined, and to find out and establish just and beneficial means on both sides for removing the difficulties in this matter, and for regulating the duties mutually. But it is always understood and provided, that all and singular the articles of this treaty do in the mean while remain in their full force, and especially that nothing be deemed, under any pretence whatsoever, to hinder the benefit of the general tariff of the year 1664 from being granted to the subjects of her Royal Majesty of Great Britain, and the said British subjects from having and enjoying the same, without any delay or tergiversation, within the space of two months after a law is made in Great Britain as above said, in as ample manner and form as the subjects of any nation, the most favoured, might have and enjoy the benefit of the afore said tariff, any thing to be done or discussed by the said commissaries to the contrary in any wise notwithstanding.

X. The duties on tobacco imported into France, either in the leaf, or prepared, shall be reduced hereafter to the same moderate rate as the said tobacco

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of the growth of any country in Europe or America, being brought into France, does or shall pay. The subjects on both sides shall also pay the same duties in France for the said tobacco; there shall be likewise an equal liberty of selling it; and the British subjects shall have the same laws as the merchants of France themselves have and enjoy.

XI. It is likewise concluded, that the imposition or tax of *50 sols Tournois*, laid on British ships in France for every ton, shall wholly cease, and be from henceforward annulled. In like manner the tax of five shillings sterling laid on French ships in Great Britain for every ton, shall cease; neither shall the same, or any the like impositions, be laid hereafter on the ships of the subjects on either side.

XII. It is further agreed and concluded, that it shall be wholly free for all merchants, commanders of ships, and other the subjects of the Queen of Great Britain, in all places of France, to manage their own business themselves, or to commit them to the management of whomsoever they please, nor shall they be obliged to make use of any interpreter, or broker, nor to pay them any salary, unless they chuse to make use of them. Moreover, masters of ships shall not be obliged, in loading or unloading their ships, to make use of those workmen, either at Bourdeaux, or in any other places, as may be appointed by public authority for that purpose; but it shall be entirely free for them to load or unload their ships by themselves, or to make use of such persons in loading or unloading the same as they shall think fit, without the payment of any salary to any other whomsoever; neither shall they be forced to unload any sort of merchandizes, either into other ships, or to receive them into their own, or to wait for their being loaded longer than they please. And all and every the subjects of the most Christian King shall reciprocally have and enjoy the same privileges

vileges and liberty, in all places in Europe subject to the dominion of Great Britain.

XIII. It shall be wholly lawful and free for merchants and others, being subjects either to the Queen of Great Britain or to the most Christian King, by will, and any other disposition made, either during the time of sickness, or at any other time before, or at the point of death, to devise or give away their merchandizes, effects, money, debts belonging to them, and all moveable goods which they have or ought to have at the time of their death, within the dominions and any other places belonging to the Queen of Great Britain, and to the most Christian King. Moreover, whether they die, having made their will, or intestate, their lawful heirs and executors, or administrators, residing in either of the kingdoms, or coming from any other part, although they be not naturalized, shall freely and quietly receive and take possession of all the said goods and effects whatsoever, according to the laws of Great Britain and France respectively; in such manner, however, that the wills, and right of entering upon the inheritances of persons intestate, must be proved according to law, as well by the subjects of the Queen of Great Britain, as by the subjects of the most Christian King, in those places where each person died, whether that may happen in Great Britain or in France, any law, statute, edict, custom, or *droit d'aubaine* whatsoever to the contrary notwithstanding.

XIV. A dispute arising between any commander of the ships on both sides and his seamen, in any port of the other party, concerning wages due to the said seamen, or other civil causes, the magistrate of the place shall require no more from the person accused, than that he give to the accuser a declaration in writing, witnessed by the magistrate, whereby he shall be bound to answer that matter before a competent judge in his own country; which being done, it shall not be lawful  
either

either for the seamen to desert their ship, or to hinder the commander from prosecuting his voyage. It shall moreover be lawful for the merchants on both sides, in the places of their abode, or elsewhere, to keep books of their accounts and affairs, as they shall think fit, and to have an intercourse of letters, in such language or idiom as they shall please, without any molestation or search whatsoever. But if it should happen to be necessary for them to produce their books of accounts, for deciding any dispute and controversy, in such case they shall be obliged to bring into court the entire books or writings, but so as that the judge may not have liberty to inspect any other articles in the said books than such as shall relate to the testimony or authority in question, or such as shall be necessary to give credit to the said books; neither shall it be lawful, under any pretence, to take the said books or writings forcibly out of the hands of the owners, or to retain them; the case of bankruptcy only excepted: neither shall the said subjects of the Queen of Great Britain be obliged to write their accounts, copies of letters, acts or instruments relating to trade, on stamped paper, in French, *papier timbré*, except their day-book, which, that it may be produced as evidence in any law-suit, ought, according to the laws, which all persons trading in France are to observe, to be subscribed *gratis* by the judge, and marked or flourished with his own hand.

XV. It shall not be lawful for any foreign privateers, not being subjects of one or of the other of the confederates, who have commissions from any other Prince or State in enmity with either nation, to fit their ships in the ports of one or the other of the aforesaid parties, to sell what they have taken, or in any other manner whatever to exchange either ships, merchandizes, or any other loadings; neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the next port of that Prince from whom they have commissions.

XVI. The ships of both parties being laden, sailing along the coasts or shores of the other, and being forced by storm into the havens or ports, or coming to land in any other manner, shall not be obliged there to unlade their goods, or any part thereof, or to pay any duty, unless they do of their own accord unlade their goods there, or dispose of any part of their lading: but it may be lawful to take out of the ship, and to sell (leave being first obtained from those who have the inspection of sea affairs) a small part of their lading, for this end only, that necessaries either for the refreshment or victualling of the ship may be purchased; and in that case the whole lading of the ship shall not be subject to pay the duties, but that small part only which has been taken out and sold.

XVII. It shall be lawful for all and singular the subjects of the Queen of Great Britain, and of the most Christian King, to sail with their ships with all manner of liberty and security, no distinction being made who are the proprietors of the merchandizes laden thereon, from any port, to the places of those who are now, or shall be hereafter, at enmity with the Queen of Great Britain, or the most Christian King; it shall likewise be lawful for the subjects and inhabitants aforesaid to sail with the ships and merchandizes aforesaid, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of both, or of either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy aforesaid to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of the same Prince, or under several. And as it is now stipulated concerning ships and goods, that free ships shall also give a freedom to goods, and that every thing shall be deemed to be free and exempt which shall be found on board the ships belonging to the subjects of either of the confederates, although the whole lading,

lading, or any part thereof, should appertain to the enemies of either of their Majesties, contraband goods being always excepted, on the discovery whereof, matters shall be managed according to the sense of the subsequent articles; it is also agreed, in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both, or to either party, they are not to be taken out of that free ship, unless they are soldiers, and in actual service of the enemies.

XVIII. This liberty of navigation and commerce shall extend to all kinds of merchandizes, excepting those only which follow in the next article, and which are signified by the name of Contraband.

XIX. Under this name of contraband or prohibited goods, shall be comprehended arms, great guns, bombs, with their fuses and other things belonging to them; fire-balls, gunpowder, match, cannon-ball, pikes, swords, lances, spears, halberds, mortars, petards, grenades, salt-petre, muskets, musket-ball, helmets, head-pieces, breast-plates, coats of mail, and the like kinds of arms proper for arming soldiers, musket-rests, belts, horses with their furniture, and all other warlike instruments whatever.

XX. These merchandizes which follow shall not be reckoned among prohibited goods; that is to say, all sorts of cloths, and all other manufactures woven of any wool, flax, silk, cotton, or any other materials whatever; all kinds of cloaths and wearing-apparel, together with the species whereof they are used to be made; gold and silver, as well coined as uncoined, tin, iron, lead, copper, brass, coals; as also wheat and barley, and any other kind of corn and pulse; tobacco, and likewise all manner of spices, salted and smoked flesh, salted fish, cheese and butter, beer, oils, wines, sugars, and all sorts of salt, and, in general, all provisions which serve for the nourishment of mankind and the sustenance of life. Furthermore, all kinds of

cotton, hemp, flax, tar, pitch, ropes, cables, sails, fail-cloths, anchors, and any parts of anchors; also ship-masts, planks, boards, and beams, of what trees soever; and all other things proper either for building or repairing ships; and all other goods whatever, which have not been worked into the form of any instrument or thing prepared for war, by land or by sea, shall not be reputed contraband, much less such as have been already wrought and made up for any other use; all which shall wholly be reckoned among free goods, as likewise all other merchandizes and things which are not comprehended and particularly mentioned in the preceding article, so that they may be transported and carried, in the freest manner, by the subjects of both confederates, even to places belonging to an enemy, such towns or places being only excepted as are at that time besieged, blocked up round about, or invested.

XXI. To the end that all manner of dissensions and quarrels may be avoided and prevented on one side and the other, it is agreed, that in case either of their Royal Majesties, who are allied, should be engaged in war, the ships and vessels belonging to the subjects of the other ally must be furnished with sea-letters or passports, expressing the name, property, and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship, that it may appear thereby that the ship really and truly belongs to the subjects of one of the Princes; which passports shall be made out and granted according to the form annexed to this treaty; they shall likewise be recalled every year, that is, if the ship happens to return home within the space of a year. It is likewise agreed, that such ships being laden, are to be provided, not only with passports, as above-mentioned, but also with certificates containing the several particulars of the cargo, the place whence the ship sailed, and whither she is bound, that so it may be known whether any forbidden

bidden or contraband goods, as are enumerated in the nineteenth article of this treaty, be on board the same; which certificates shall be made out by the officers of the place whence the ship set sail, in the accustomed form. And if any one shall think it fit or advisable to express in the said certificates the person to whom they belong, he may freely do so.

XXII. The ships of the subjects and inhabitants of both their most Serene Royal Majesties, coming to any of the sea-coasts within the dominions of either of the confederates, but not willing to enter into port, or being entered, yet not being willing to shew or to sell the cargoes of their ships, shall not be obliged to give an account of their lading, unless they are suspected, upon sure evidence, of carrying to the enemies of the other confederate prohibited goods, called contraband.

XXIII. And in case of the said manifest suspicion, the said subjects and inhabitants of the dominions of both their most Serene Royal Majesties shall be obliged to exhibit in the ports their passports and certificates, in the manner before specified,

XXIV. But in case the ships of the subjects and inhabitants of both their most Serene Royal Majesties, either on the sea-coast, or on the high seas, shall meet with the men of war of the other, or with privateers, the said men of war and privateers, for preventing any inconveniences, are to remain out of cannon-shot, and to send a boat to the merchant-ship which has been met with, and shall enter her with two or three men only, to whom the master or commander of such ship or vessel shall shew his passport, concerning the property thereof, made out according to the form annexed to this present treaty; and the ship which shall exhibit one, shall have free passage, and it shall be wholly unlawful any way to molest her, search, or compel her to quit her intended course.



XXV. But that merchant-ship of the other party, which intends to go to a port at enmity with the other confederate, or concerning whose voyage, and the sort of goods on board, there may be just suspicion, shall be obliged to exhibit, either on the high seas, or in the ports and havens, not only her passports, but her certificates, expressing that they are not of the kind of goods prohibited, which are specified in the nineteenth article.

XXVI. But if one party, on the exhibiting the abovesaid certificates, mentioning the particulars of the things on board, should discover any goods of that kind which are declared contraband or prohibited, by the nineteenth article of this treaty, designed for a port subject to the enemy of the other, it shall be unlawful to break up the hatches of that ship wherein the same shall happen to be found, whether she belong to the subjects of Great Britain or of France, to open the chests, packs, or casks therein, or to remove even the smallest parcel of the goods, unless the lading be brought on shore in the presence of the officers of the court of admiralty, and an inventory thereof made; but there shall be no allowance to sell, exchange, or alienate the same in any manner, unless after that due and lawful process shall have been had against such prohibited goods, and the judges of the admiralty respectively shall, by a sentence pronounced, have confiscated the same; saving always, as well the ship itself, as the other goods found therein, which by this treaty are to be esteemed free; neither may they be detained on pretence of their being, as it were, infected by the prohibited goods, much less shall they be confiscated as lawful prize: but if not the whole cargo, but only part thereof shall consist of prohibited or contraband goods, and the commander of the ship shall be ready and willing to deliver them to the captor who has discovered them, in such case the captor, having received those goods, shall forthwith discharge the ship, and not hinder

hinder her by any means freely to prosecute the voyage on which she was bound.

XXVII. On the contrary, it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party, on any ship belonging to the enemy of the other, and his subjects, the whole, although it be not of the sort of prohibited goods, may be confiscated, in the same manner as if it belonged to the enemy himself; except those goods and merchandizes as were put on board such ship before the declaration of war, or even after such declaration, if so be it were done within the time and limits following; that is to say, if they were put on board such ship, in any port and place within the space of six weeks after such declaration, within the bounds called the Naze in Norway, and the Soundings; of two months, from the Soundings to the city of Gibraltar; of ten weeks, in the Mediterranean sea; and of eight months, in any other country or place in the world: so that the goods of the subjects of either Prince, whether they be of the nature of such as are prohibited, or otherwise, which, as is aforesaid, were put on board any ship belonging to an enemy before the war, or after the declaration of the same, within the time and limits aforesaid, shall no ways be liable to confiscation, but shall well and truly be restored without delay to the proprietors demanding the same; but so as that if the said merchandizes be contraband, it shall not be any ways lawful to carry them afterwards to the ports belonging to the enemy.

XXVIII. And, that more abundant care may be taken for the security of the subjects of both their most Serene Royal Majesties, that they suffer no injury by the men of war or privateers of the other party, all the commanders of the ships of the Queen of Great Britain, and of the most Christian King, and all their subjects, shall be forbid doing any injury or damage to the other side; and if they act to the contrary,

trary, they shall be punished, and shall moreover be bound to make satisfaction for all cause of damage, and the interest thereof, by reparation, under the bond and obligation of their person and goods.

XXIX. For this cause, all commanders of privateers, before they receive their patents or special commissions, shall hereafter be obliged to give, before a competent judge, sufficient security by good bail, who are men able to pay, and have no interest in the said ship, and are each bound in the whole for the sum of 1,500*l.* sterling, or 16,500 *livres Tournois*; or, if such ship be provided with above one hundred and fifty seamen or soldiers, for the sum of 3,000*l.* sterling, or 33,000 *livres Tournois*, that they will make entire satisfaction for any damages and injuries whatsoever, which they, or their officers, or others in their service, commit during their course at sea, contrary to this present treaty, or the edicts of either of their most Serene Royal Majesties published by virtue thereof; under penalty likewise of having their special commissions and patents revoked and annulled.

XXX. Both their above-named Royal Majesties being willing to shew a mutual and equal favour, in all their dominions respectively, to the subjects of each other, in the same manner as if they were their own subjects, will give such orders as shall be necessary and effectual, that justice be administered concerning prizes in the court of admiralty, according to the rule of equity and right, and the articles of this treaty, by judges who are above all suspicion, and who have no manner of interest in the cause in dispute.

XXXI. Whensoever the ambassadors of each of their Royal Majesties above-named, and other their ministers, having a public character, and residing in the court of the other Prince, shall complain of the unjustness of the sentences which have been given, their Majesties on each side shall take care that the same be revised and re-examined in their respective councils;

councils, that it may appear whether the directions and provisions prescribed in this treaty have been observed, and have had their due effect: they shall likewise take care that this matter be effectually provided for, and that right be done to every complainant within the space of three months. However, before or after judgment given, the revision thereof still depending, for the avoiding of all damage, it shall not be lawful to sell the goods in dispute, or to unlade them, unless with the consent of the persons concerned.

XXXII. A suit being commenced between the captors of prizes on one part, and the reclaimers of the same on the other, and a sentence or decree being given in favour of the claimer, that same sentence or decree, security being given, shall be put in execution, the appeal of the captor to a superior judge in any wise notwithstanding; which, however, is not to be observed when judgment has been given against the reclaimers.

XXXIII. In case that either ships of war, or merchantmen, forced by storm, or other misfortune, be driven on rocks or shelves on the coasts of one or the other party, and are there broken to pieces and shipwrecked, whatever part of the ships or tackling thereof, as also of the goods and merchandizes, shall be saved, or the produce thereof, shall be faithfully restored to the proprietors, reclaimers, or their factors, paying only the expences of preserving the same, in such manner as it may be settled on both sides concerning the rate of salvage; saving, at the same time, the rights and customs of each nation: and both their most Serene Royal Majesties will interpose their authority, that such of their subjects may be severely punished, who in the like accident shall be found guilty of inhumanity.

XXXIV. It shall be free for the subjects of each party to employ such advocates, attornies, notaries, solicitors, and factors, as they shall think fit; to which  
end

and the said advocates, and others abovementioned, may be appointed by the ordinary judges, if it be needful, and the judges be required thereunto.

XXXV. And, that commerce and navigation may be more securely and freely followed, it is further agreed, that neither the Queen of Great Britain, nor the most Christian King, shall receive any pirates and robbers into any of their ports, havens, cities, or towns, neither shall they permit them to be received into their ports, to be protected or assisted by any manner of harbouring or support, by any the subjects or inhabitants of either of them; but they shall rather cause all such pirates and sea-robbers, or whoever shall receive, conceal, or assist them, to be apprehended and punished as they deserve, for a terror and example to others. And all the ships, goods, or merchandizes, being piratically taken by them, and brought into the ports of the kingdom of either, as much as can be found, although they have by sale been conveyed to others, shall be restored to the lawful owners, or their deputies, having instruments of delegation, and an authority of procuration for reclaiming the same; and indemnification shall be made, proper evidence being first given in the court of admiralty for proving the property. And all ships and merchandizes, of what nature soever, which can be rescued out of their hands on the high seas, shall be brought into some port of either kingdom, and shall be delivered to the custody of the officers of that port, with this intention, that they be delivered entire to the true proprietor, as soon as due and sufficient proof shall have been made concerning the property thereof.

XXXVI. It shall be lawful, as well for the ships of war of both their most Serene Royal Majesties, as for privateers, to carry whithersoever they please the ships and goods taken from their enemies, neither shall they be obliged to pay any thing to the officers of the admiralty, or to any other judges; nor shall the aforementioned prizes, when they come to and enter the  
ports

ports of either of their most Serene Royal Majesties, be detained by arrest, neither shall searchers, or other officers of those places, make examination concerning them, or the validity thereof; but rather they shall have liberty to hoist sail at any time, to depart, and to carry their prizes to that place which is mentioned in their commission or patent, which the commanders of such ships of war shall be obliged to shew: on the contrary, no shelter or refuge shall be given in their ports to such as have made a prize upon the subjects of either of their Royal Majesties. And if perchance such ships shall come in, being forced by stresses of weather, or the danger of the sea, particular care shall be taken (as far as it is not repugnant to former treaties made with other Kings and States) that they go from thence, and retire elsewhere, as soon as possible.

XXXVII. Neither of their most Serene Royal Majesties shall permit that the ships or goods of the other be taken upon the coasts, or in the ports or rivers of their dominions, by ships of war, or others having commission from any Prince, Commonwealth, or town whatsoever; and in case such a thing should happen, both parties shall use their authority and united force that the damage done be made good.

XXXVIII. If hereafter it shall happen, through inadvertency, or otherwise, that any contraventions or inconveniences, on either side, arise concerning the observation of this treaty, the friendship and good intelligence shall not immediately thereupon be broke off; but this treaty shall subsist in all its force, and a proper remedy for removing the inconveniences shall be procured, as likewise reparation of the contraventions; and if the subjects of the one or the other be found in fault, they only shall be severely punished and chastised.

XXXIX. But if it shall appear that a captor made use of any kind of torture upon the master of the ship, the ship's crew, or others who shall be on board any ship

*Form of the Passports and Letters which are to be given, in the Admiralty of France, to the Ships and Barks which shall go from thence, according to the twenty-first Article of this present Treaty.*

LEWIS, Count of Thouloufe, Admiral of France, to all who shall see these presents, greeting. We make known, that we have given leave and permission to  
 master and commander of the ship  
 called \_\_\_\_\_ of the town of \_\_\_\_\_ burthen  
 \_\_\_\_\_ tons, or thereabouts, lying at present in the  
 port and haven of \_\_\_\_\_ and bound for  
 and laden with \_\_\_\_\_ after that his ship has  
 been visited, and before sailing, he shall make oath  
 before the officers who have the jurisdiction of mari-  
 time affairs, that the said ship belongs to one or more  
 of the subjects of his Majesty, the act whereof shall be  
 put at the end of these presents; as likewise that he  
 will keep, and cause to be kept by his crew on board,  
 the marine ordinances and regulations, and enter in the  
 proper office a list signed and witnessed, containing the  
 names and surnames, the places of birth and abode  
 of the crew of his ship, and of all who shall embark  
 on board her, whom he shall not take on board with-  
 out the knowledge and permission of the officers of  
 the marine; and in every port or haven where he shall  
 enter with his ship, he shall shew this present leave to  
 the officers and judges of the marine, and shall give a  
 faithful account to them of what passed and was done  
 during his voyage. And he shall carry the colours,  
 arms, and ensigns of the King, and of us, during his  
 voyage. In witness whereof, we have signed these  
 presents, and put the seal of our arms thereunto, and  
 caused the same to be countersigned by our secretary  
 of the marine, at \_\_\_\_\_ the \_\_\_\_\_ day of  
 \_\_\_\_\_ 17 Signed LEWIS, Count of Thou-  
 louse; and underneath, by

*Form*

*Form of the Act containing the Oath.*

WE of the admiralty of  
do certify, That master of the ship named  
in the above passport, has taken the oath mentioned  
therein. Done at the day of

17

XL. The present treaty shall be ratified by the Queen of Great Britain, and by the most Christian King, and the ratifications thereof shall be duly exchanged at Utrecht within four weeks, or sooner if possible.

XLI. In witness whereof, we the underwritten Ambassadors Extraordinary and Plenipotentiaries of the Queen of Great Britain, and of the most Christian King, have set our hands and seals to this present treaty, at Utrecht, the  $\frac{31}{11}$  day of <sup>March</sup><sub>April</sub>, in the year of of our Lord 1713.

(L. S.) *Job. Bristol*, C. P. S. (L. S.) *Huxelles.*  
(L. S.) *Strafford.* (L. S.) *Mefnager.*

ANNE R.

ANNE, by the grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c.; to all and singular to whom these presents shall come, greeting. Whereas the congress that was held at Utrecht in the beginning of the last year, for making a general peace, has been drawn out into length above these fourteen months, by various obstacles which have been thrown in the way, contrary to our hopes and wishes; but now, by the favour and goodness of Almighty God (who has been pleased to inspire the love of concord more strongly into the breasts of the parties engaged in war) it seems happily to tend towards the end so long desired, and so necessary for the tranquillity and welfare of Europe; we having at  
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last adjusted, with our good brother the most Christian King, our matters on both sides, relating both to peace and to commerce, to the end that our Ministers, who have hitherto, under the title of Plenipotentiaries, applied themselves, with our highest approbation, to the discharge of this employment, may with greater splendor put an end to this most wholesome work, have thought fit to give them the most honourable character of our Ambassadors Extraordinary. Now know ye, that we reposing especial confidence in the loyalty, industry, experience, and sagacity in managing matters of great importance, of the Right Reverend Father in God our right trusty and well-beloved counsellor John Bishop of Bristol, Keeper of our Privy Seal, Dean of Windsor, and Register of our most Noble Order of the Garter; and of our right trusty and right well-beloved cousin and counsellor Thomas Earl of Strafford, Viscount Wentworth of Wentworth Woodhouse and Stainborough, Baron of Raby, Lieutenant General of our forces, First Commissioner of our Admiralty, Knight of our most Noble Order of the Garter, and our Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, have named, made, and constituted them, as by these presents we do name, make, and constitute them, our true, certain, and undoubted Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, giving and granting to them, jointly and separately, all and all manner of power, faculty, and authority, as also both general and special order (but so as the general do not derogate from the special, nor on the contrary) to meet and confer in the city of Utrecht, or in any other place, with the Ambassadors Extraordinary and Plenipotentiaries which the said most Christian King shall have deputed on his part, being furnished with sufficient authority, and to treat, agree, and conclude concerning the adjusting, in the most friendly manner, the conditions of navigation and commerce between

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our subjects and those of the said most Christian King; and to sign for us, and in our name, all such things as shall be so agreed and concluded; and to make out such and so many instruments of what is concluded, as shall be necessary, and to exchange and mutually receive the same; and generally to do and perform all such things as they shall judge necessary, or any way conducive towards making and settling the conditions of navigation and commerce, as is abovesaid, in as ample manner and form, and with the like force and effect, as we ourselves might do and perform, if we were present; engaging and promising, on our Royal word, that we will accept, approve, and ratify, in the same manner and form as they have been agreed, all and every thing that by virtue of these presents shall happen to be transacted, concluded, and signed by our said Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, jointly or separately. In witness and confirmation whereof, we have commanded our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace of St. James's, the 24th day of the month of March, in the year of our Lord 17<sup>12</sup><sub>17</sub>, and of our reign the twelfth.

LEWIS, by the grace of God, King of France and Navarre, to all who shall see these presents, greeting. Whereas we have omitted nothing for contributing with all our might towards the re-establishment of a sincere and solid peace; and as our most dear and most beloved sister the Queen of Great Britain has shewn the same desire; and as there is room to hope, that the conferences which are held at Utrecht, for attaining to so desirable a good, will in a little time have a happy issue; and being willing likewise to apply all our care for promoting the effect thereof, and reposing entire confidence in the capacity, experience, zeal, and fidelity for our service, of our most dear and well-beloved cousin the Marquis

d'Huxelles, Marshal of France, Knight of our Orders, and our Lieutenant General of the government of Burgundy, and of our dear and well-beloved the Sieur Mefnager, Knight of our Order of St. Michael. For these causes, and other good considerations us hereunto moving, we have commissioned, ordained, and deputed, as by these presents, signed with our hand, we do commission, ordain, and depute the said Sieurs Marshal d'Huxelles and Mefnager, and have given, and do give to them full power, commission, and special command, in quality of our Ambassadors Extraordinary, and our Plenipotentiaries, to confer, negotiate, and treat with the Ambassadors Extraordinary, Plenipotentiaries of our said sister, provided with her powers in due form, to agree, conclude, and sign such treaties of commerce, articles, and conventions, as they shall see good. We will that in case of absence of one of them by sickness, or through any other lawful cause, the other have the same power to confer, negotiate, treat, agree, conclude, and sign such treaties of commerce, articles, and conventions, as shall be agreeable to the good which we propose to ourselves, and to the reciprocal advantage of our subjects, so that our said Ambassadors Extraordinary and Plenipotentiaries may act, in all which shall belong to the negotiation with our said sister, with the same authority as we should and might do, if we were present in person, although there should be something which might require a more special order than is contained in these presents. We promise, on the faith and word of a King, to approve, and to keep firm and lasting for ever, to fulfil and execute punctually, all that the said Sieurs Marshal d'Huxelles and Mefnager, or one of them, in the said cases of absence, or of sickness, shall stipulate, promise, and sign, by virtue of this present power, without ever acting contrary thereto, or permitting that any thing be done to the contrary, on any cause, or under any pretence whatsoever; as likewise to cause our letters ratifying the same to be dispatched,

patched, in good form, and to cause them to be delivered, in order to be exchanged, within the time which shall be agreed on by the treaties to be made. For this is our pleasure. In witness whereof, we have caused our seal to be affixed to these presents. Given at Versailles, the fourth day of March, in the year of our Lord 1713, and of our reign the seventieth. Signed LEWIS; and on the fold, By the King. *Colbert.*

BE it known unto all men, that whereas in the 9th article of the treaty of commerce, concluded this day between the most Serene Queen of Great Britain and the most Serene the most Christian King, by their Majesties Ambassadors Extraordinary and Plenipotentiaries, mention is made of some heads of matters, which being proposed on the part of Great Britain, have not as yet been mutually adjusted; and therefore it was thought fit to refer them to be discussed and determined by commissioners: we therefore, the under-written Ambassadors, that it may certainly appear what are those heads of matters which are to be referred to commissioners, have resolved to give a particular description of them in this writing; declaring that they are the same, and no other than what follow:

I. No manufactures of either kingdom, and the dominions belonging thereunto, shall hereafter be subject to be inspected and confiscated, under any pretence of fraud or defect in making or working them, or because of any other imperfection therein; but absolute freedom shall be allowed to the buyer and seller, to bargain and agree for the same as they shall see good; any law, statute, edict, arrest, privilege, grant, or custom, to the contrary notwithstanding.

II. And forasmuch as a certain usage, not confirmed by any law, has obtained in several towns of Great Britain and of France; that is to say, that every one, for coming in, and going out, shall pay a kind

of tax, called in English, Head-Money, and in French, Du Chef; it is concluded, that neither the same, nor any other duty on that account, shall any more be exacted.

III. And the British merchants shall not hereafter be forbidden to sell the said tobacco to any buyer whom they please; for which purpose, the letting out the duties on the said tobacco to farmers, which has been hitherto practised, shall cease, neither shall such farming be used again hereafter.

IV. The following case only being excepted, that is to say, where British ships shall take up merchandizes in one port, and carry them to another port of France, in which case, and in no other, the British subjects shall be obliged to pay the duties abrogated and abolished by this article, only in proportion to the goods which they take in, and not according to the bulk of the ship.

V. Whereas several kinds of goods, contained in casks, chests, or other cases, for which the duties are paid by weight, will be exported from, and imported into, France by British subjects, it is therefore agreed, that in such case the aforesaid duties shall be payable only according to the weight of the goods themselves; but the weight of the casks, chests, and other cases whatever, shall be deducted in such manner, and in such proportion, as has been hitherto in use in England, and is still practised.

VI. It is further agreed, that if any mistake or error shall on either side be committed by any master of a ship, his interpreter, or factor, or by others employed by him, in making the entry or declaration of the goods on board his ship, for such defect, if so be some fraud does not evidently appear, neither the ship nor the lading thereof shall be subject to be confiscated, but it shall be free for the proprietors to take back again such goods as were omitted in the entry or declaration

claration of the master of the ship, paying only the accustomed duties according to the rates settled in the books; neither shall the merchants, or the master of the ship, lose the said goods, or suffer any other punishment, if so be that the said goods, so omitted, were not brought on shore before the declaration made, and the customs paid for the same.

VII. And whereas the quality of the ship, master, and goods, will sufficiently appear from such passports and certificates, it shall not be lawful for the commanders of men of war to exact any other verification, under any title whatsoever. But if any merchant ship shall want such passports or certificates, then it may be examined by a proper judge, but in such manner as, if it shall be found, from other proofs and documents, that it does truly belong to the subjects of either of the confederates, and does not contain any prohibited goods, designed to be carried to the enemy of the other, it shall not be liable to confiscation, but shall be released, together with its cargo, in order to proceed on its voyage, since it may often happen that such papers could not come to the ship when she was setting sail from any port, or that they have been lost by some chance or other, or that they have been taken away from the ship. And if, besides the passports and certificates made according to the form of their treaty, other passports and certificates happen to be found in the ship, in another form, and perhaps according to the prescription of treaties made with others, no pretence shall be taken from thence of detaining, or in any wise molesting, either the ship, or men, or goods. If the master of the ship named in the passports be removed by death, or any other cause, and another be put in his place, the passports shall nevertheless retain their force, and the ships, and goods laden thereon, shall be secure.

VIII. It is further provided on both sides, and shall be taken for a general rule, that a ship and goods, although they have remained in the enemy's power for

four and twenty hours, shall not therefore be esteemed as capture, and be immediately made prize; but if, on other accounts, they ought to be restored, they may be reclaimed, and shall be given again to the proprietors.

IX. It shall be free for both their Royal Majesties, for the advantage of their subjects trading to the kingdoms and dominions of the other, to constitute national consuls of their own subjects, who shall enjoy that right and liberty which belongs to them by reason of the exercise of their function; but as to the places where such consuls are to be appointed, both sides shall afterwards agree between themselves.

In witness whereof, we the Ambassadors Extraordinary and Plenipotentiaries of her Sacred Royal Majesty of Great Britain, and of his Sacred Royal most Christian Majesty, have subscribed this present instrument with our hands, and set our seals thereunto. At Utrecht, the  $\frac{21}{11}$  day of the month of  $\frac{\text{March}}{\text{April}}$ , in the year 1713.

(L. S.) *Job. Bristol, C. P. S.* (L. S.) *Huxelles.*  
(L. S.) *Strafford.* (L. S.) *Mefnager,*

BE it known unto all men, that whereas, in the 9th article of the treaty of navigation and commerce, concluded the  $\frac{21}{11}$  day of  $\frac{\text{March}}{\text{April}}$ , 1713, between the most Serene Queen of Great Britain, and the most Serene the most Christian King, by the Ambassadors Extraordinary and Plenipotentiaries of their Majesties, certain merchandizes, namely, woollen manufactures, sugar, salt-fish, and what is produced from whales, are excepted in general words from the rule of the tariff made the 18th day of the month of September, in the year 1664, in order to be afterwards referred to the discussion of commissaries; to prevent therefore all mistakes and ambiguity, which might perhaps

perhaps arise from such general terms, and to make it more evidently appear what particular sorts of goods are to come under the consideration of the aforesaid commissaries, we the under-written Ambassadors Extraordinary and Plenipotentiaries have declared by these presents, and do declare, that the exception of the above-mentioned merchandizes is to be understood in the manner following.

I. Whalebone cut and prepared, fins and oils of whales, shall pay, at all places of importation in the kingdom, the duties appointed by the tariff of the 7th of December, 1699.

II. Cloths, ratines, and serges, shall be likewise subject to the same duties of the tariff of the 7th of December, 1699; and in order to facilitate the trade thereof, it shall be allowed to import them by St. Valery upon the Somme, by Rouen, and by Bourdeaux, where these goods shall be subject to visitation in the same manner as those which are made in the kingdom.

III. Salt-fish in barrels only is to be imported into the kingdom; and at all places of entrance in the kingdom, countries, and territories under the dominion of the King, even at all free ports, the duties of landing and of consumption shall be paid which were appointed before the tariff of 1664, and besides 40 livres per last, consisting of 12 barrels, weighing each 300lb. for the duty of entry; which entry shall not be permitted but by St. Valery upon the Somme, Rouen, Nants, Libourn, and Bourdeaux, and shall remain prohibited at all other harbours or ports, as well in the ocean as in the Mediterranean.

IV. Refined sugar in loaf or in powder, white and brown sugar-candy, shall pay the duties appointed by the tariff of 1699.

In confirmation of which, we the under-written Ambassadors Extraordinary and Plenipotentiaries of



her Majesty the Queen of Great Britain, and the most Christian King, have signed and sealed these presents, at Utrecht, the  $\frac{28}{5}$  day of  $\frac{\text{April}}{\text{May}}$ , in the year 1713.

(L. S.) *Job. Bristol, C. P. S.* (L. S.) *Huxelles.*  
 (L. S.) *Strafford.* (L. S.) *Mefnager.*

[The treaty of AIX-LA-CHAPELLE, 1748, is printed from the copy which was published by authority in 1749.]

*The Definitive Treaty of Peace and Friendship between his Britannic Majesty, the most Christian King, and the States General of the United Provinces; concluded at Aix-la-Chapelle, the 18th Day of October, N. S. 1748; to which the Empress Queen of Hungary, the Kings of Spain and Sardinia, the Duke of Modena, and the Republic of Genoa, have acceded.*

In the name of the most holy and undivided Trinity,  
 the Father, Son, and Holy Ghost.

BE it known to all those whom it shall or may concern, in any manner whatsoever. Europe sees the day, which the Divine Providence had pointed out for the re-establishment of its repose. A general peace succeeds to the long and bloody war, which had arose between the most Serene and most Potent Prince George II. by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswick and Lunenbourg, Arch-Treasurer and Elector of the Holy Roman Empire, &c. and the most Serene and most Potent Princess Mary Theresia, by the grace of God, Queen of Hungary and Bohemia, &c, Empress of the Romans, on the one part; and the most Serene and most Potent Prince Lewis XV; by the grace of God, the most Christian King, on the other; as also between the King of Great Britain, the  
 Empress

Empress Queen of Hungary and Bohemia, and the most Serene and most Potent Prince Charles Emanuel III. by the grace of God, King of Sardinia, on the one part, and the most Serene and most Potent Prince Philip V. by the grace of God, King of Spain and the Indies (of glorious memory) and after his decease, the most Serene and most Potent Prince Ferdinand VI. by the grace of God, King of Spain and the Indies, on the other : in which war the High and Mighty Lords the States General of the United Provinces of the Low Countries had taken part, as auxiliaries to the King of Great Britain and the Empress Queen of Hungary and Bohemia ; and the most Serene Duke of Modena, and the most Serene Republic of Genoa, as auxiliaries to the King of Spain. God, in his mercy, made known to all these Powers, at the same time, the way which he had decreed for their reconciliation, and for the restoration of tranquillity to the people, whom he had subjected to their government. They sent their Ministers to Aix-la-Chapelle, where those of the King of Great Britain, his most Christian Majesty, and of the States General of the United Provinces, having agreed upon preliminary conditions for a general pacification ; and those of the Empress Queen of Hungary and Bohemia, of his Catholic Majesty, of the King of Sardinia, of the Duke of Modena, and of the Republic of Genoa, having acceded thereunto, a general cessation of hostilities, by sea and land, happily ensued. In order to complete, at Aix-la-Chapelle, the great work of a peace, equally stable and convenient for all parties, the high contracting Powers have nominated, appointed, and provided with their full powers, the most illustrious and most excellent Lords their Ambassadors Extraordinary and Ministers Plenipotentiary, viz. his Sacred Majesty the King of Great Britain, John Earl of Sandwich, Viscount Hinchinbrook, Baron Montagu of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the  
Lords

Lords Regents of the kingdom, his Minister Plenipotentiary to the States General of the United Provinces, and Sir Thomas Robinson, Knight of the most honourable Order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia.

His Sacred most Christian Majesty, Alphonso Maria Lewis Count de St. Severin of Arragon, Knight of his Orders, and John Gabriel de la Porte du Theil, Knight of the Order of our Lady of Mount Carmel, and of St. Lazarus of Jerusalem, Counsellor of the King in his Councils, Secretary of the Chamber, and of the Cabinet of his Majesty, of the Orders of the Dauphin, and of Medames of France.

Her Sacred Majesty the Empress Queen of Hungary and Bohemia, Wenceslaus Anthony Count of Kaunitz Rittberg, Lord of Effens, Stedefeldorff, Wittmund, Austerlitz, Hungrifchbrod, Wite, &c. actual intimate Counsellor of State to their Imperial Majesties.

His Sacred Catholic Majesty, the Lord Don James Massone de Lima and Sotto Major, Gentleman of the Bed-chamber to his Catholic Majesty, and Major General of his forces.

His Sacred Majesty the King of Sardinia, Don Joseph Ossorio, Knight, Grand Croix and Grand Conservator of the Military Order of the Saints Maurice and Lazarus, and Envoy Extraordinary of his Majesty the King of Sardinia to his Majesty the King of Great Britain; and Joseph Borré Count Chavanne, his Counsellor of State, and his Minister to the Lords the States General of the United Provinces.

The High and Mighty Lords the States General of the United Provinces, William Count Bentinck, Lord of Rhoon and Pendrecht, one of the Nobles of the province of Holland and West Friesland, Curator of the University of Leyden, &c. &c. &c. Frederick Henry Baron of Wassenaer, Lord of Catwyck and Zand,

Zand, one of the Nobles of the province of Holland and West Friesland, Hoog-Heemrade of Rhymland, &c. Gerard Arnout Hasselaer, Burgo-master and Counsellor of the city of Amsterdam, Director of the East India Company; John Baron of Borsele, First Noble and Representative of the Nobility in the States, in the Council and Admiralty of Zeland, Director of the East India Company; Onno Zwitter Van Haren, Grietman of West Sterlingwerf, Deputy Counsellor of the province of Friesland, and Commissary General of all the Swiss and Grison troops in the service of the aforesaid States General, and respective Deputies in the Assembly of the States General, and in the Council of State, on the part of the provinces of Holland and West Friesland, Zealand, and Friesland.

The most Serene Duke of Modena, the Sieur Count de Monzone, his Counsellor of State, and Colonel in his service, and his Minister Plenipotentiary to his most Christian Majesty.

The most Serene Republic of Genoa, the Sieur Francis Marquis Doria.

Who, after having communicated their full powers to each other in due form, copies whereof are annexed at the end of this present treaty, and having conferred on the several objects, which their Sovereigns have judged proper to be inserted in this instrument of general pacification, have agreed to the several articles, which are as follow.

I. There shall be a christian, universal, and perpetual peace, as well by sea as land, and a sincere and lasting friendship, between the eight Powers abovementioned, and between their heirs and successors, kingdoms, states, provinces, countries, subjects, and vassals, of what rank and condition soever they may be, without exception of places or persons. So that the high contracting Powers may have the greatest attention to maintain, between them and their said states and subjects, this reciprocal friendship and correspondence,

not

not permitting any sort of hostilities to be committed; on one side or the other, on any cause, or under any pretence whatsoever; and avoiding every thing that may, for the future, disturb the union happily re-established between them; and, on the contrary, endeavouring to procure, on all occasions, whatever may contribute to their mutual glory, interests, and advantage, without giving any assistance or protection, directly or indirectly, to those who would injure or prejudice any of the said high contracting parties.

II. There shall be a general oblivion of whatever may have been done or committed during the war now ended. And all persons, upon the day of the exchange of the ratifications of all the parties, shall be maintained or re-established in the possession of all the effects, dignities, ecclesiastical benefices, honours, revenues, which they enjoyed, or ought to have enjoyed, at the commencement of the war, notwithstanding all dispossession, seizures, or confiscations, occasioned by the said war.

III. The treaties of Westphalia of 1648; those of Madrid, between the crowns of England and Spain, of 1667 and 1670; the treaties of peace of Nimeguen of 1678 and 1679; of Ryfwick of 1697; of Utrecht of 1713; of Baden of 1714; the treaty of the triple alliance of the Hague of 1717; that of the quadruple alliance of London of 1718; and the treaty of peace of Vienna of 1738, serve as a basis, and foundation to the general peace, and to the present treaty; and, for this purpose, they are renewed and confirmed in the best form, and as if they were herein inserted word for word; so that they shall be punctually observed for the future in all their tenor, and religiously executed on the one side and the other; such points, however, as have been derogated from in the present treaty excepted.

IV. All the prisoners made on the one side and the other, as well by sea as by land, and the hostages required

quired or given during the war, and to this day, shall be restored, without ransom, in six weeks at latest, to be reckoned from the exchange of the ratification of the present treaty; and it shall be immediately proceeded upon after that exchange: and all the ships of war, as well as merchant vessels, that shall have been taken since the expiration of the terms agreed upon for the cessation of hostilities at sea, shall be, in like manner, faithfully restored, with all their equipages and cargoes; and sureties shall be given on all sides for payment of the debts, which the prisoners or hostages may have contracted, in the states where they had been detained, until their full discharge.

V. All the conquests, that have been made since the commencement of the war, or which, since the conclusion of the preliminary articles, signed the 30th of April last, may have been or shall be made, either in Europe, or the East or West Indies, or in any other part of the world whatsoever, being to be restored without exception, in conformity to what was stipulated by the said preliminary articles, and by the declarations since signed; the high contracting parties engage to give orders immediately for proceeding to that restitution, as well as to the putting the most Serene Infant Don Philip in possession of the states, which are to be yielded to him by virtue of the said preliminaries, the said parties solemnly renouncing, as well for themselves as for their heirs and successors, all rights and claims, by what title or pretence soever, to all the states, countries, and places, that they respectively engage to restore or yield; saving, however, the reversion stipulated of the states yielded to the most Serene Infant Don Philip.

VI. It is settled and agreed, that all the respective restitutions and cessions in Europe shall be entirely made and executed on all sides in the space of six weeks, or sooner if possible, to be reckoned from the day of the exchange of the ratifications of the present  
treaty

treaty of all the eight parties above-mentioned; so that, within the same term of six weeks, the most Christian King shall restore, as well to the Empress Queen of Hungary and Bohemia, as to the States General of the United Provinces, all the conquests which he has made upon them during this war.

The Empress Queen of Hungary and Bohemia shall be put, in consequence hereof, in full and peaceable possession of all that she possessed before the present war in the Low Countries, and elsewhere, except what is otherwise regulated by the present treaty.

In the same time the Lords the States General of the United Provinces shall be put in full and peaceable possession, and such as they had before the present war, of the places of Bergen-op-Zoom and Maeftricht, and of all they possessed before the said present war in Dutch Flanders, Dutch Brabant, and elsewhere:

And the towns and places in the Low Countries, the sovereignty of which belongs to the Empress Queen of Hungary and Bohemia, in which their High Mightinesses have the right of garrison, shall be evacuated to the troops of the Republic, within the same space of time.

The King of Sardinia shall be in like manner, and within the same time, entirely re-established and maintained in the duchy of Savoy, and in the county of Nice, as well as in all the states, countries, places, and forts conquered and taken from him on occasion of the present war.

The most Serene Duke of Modena, and the most Serene Republic of Genoa, shall be also, within the same time, entirely re-established and maintained in the states, countries, places, and forts conquered and taken from them during the present war, conformably to the tenor of the 13th and 14th articles of this treaty, which relate to them.

All the restitutions and cessions of the said towns, forts, and places, shall be made, with all the artillery and

and warlike stores that were found there on the day of their surrender, during the course of the war, by the Powers who are to make the said cessions and restitutions, and this according to the inventories which have been made of them, or which shall be delivered *bonâ fide*, on each side. Provided that, as to the pieces of artillery, that have been removed elsewhere to be new cast, or for other uses, they shall be replaced by the same number of the same bore, or weight in metal. Provided also, that the places of Charleroy, Mons, Athe, Oudenarde, and Menin, the outworks of which have been demolished, shall be restored without artillery. Nothing shall be demanded for the charges and expences employed in the fortifications of all the other places; nor for other public or private works, which have been done in the countries that are to be restored.

VII. In consideration of the restitutions that his most Christian Majesty, and his Catholic Majesty, make, by the present treaty, either to her Majesty the Queen of Hungary and Bohemia, or to his Majesty the King of Sardinia, the dutchies of Parma, Placentia, and Guastella shall, for the future, belong to the most Serene Infant Don Philip, to be possessed by him and his male descendants, born in lawful marriage, in the same manner, and in the same extent, as they have been, or ought to be, possessed by the present possessors; and the said most Serene Infant, or his male descendants, shall enjoy the said three dutchies, conformably and under the conditions expressed in the acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

These acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their ratifications of the present treaty, to the Ambassador Extraordinary and Plenipotentiary of the Catholic King, in like manner as the Ambassadors Extraordinary and Plenipotentiaries of the most Christian King, and Catholic King,



King, shall deliver, with the ratifications of their Majesties, to the Ambassador Extraordinary and Plenipotentiary of the King of Sardinia, the orders to the Generals of the French and Spanish troops to restore Savoy and the county of Nice to the persons appointed by that Prince to receive them; so that the restitution of the said states, and the taking possession of the dutchies of Parma, Placentia, and Guastalla, by or in the name of the most Serene Infant Don Philip, may be effected within the same time, conformably to the acts of cession, the tenor whereof follows.

WE Mary Theresia, &c. make known by these presents: Whereas, in order to put an end to the fatal war, certain preliminary articles were agreed upon, the 30th of April of this year, between the Ministers Plenipotentiaries of the most Serene and most Potent Prince George II. King of Great Britain, and the most Serene and most Potent Prince Lewis XV. the most Christian King, and their High Mightinesses the States General of the United Provinces, which have been since ratified by all the Powers concerned: the tenor of the 4th article whereof is conceived in the following manner.

The dutchies of Parma, Placentia, and Guastalla, shall be yielded to the most Serene Infant Don Philip, to serve him as an establishment, with the right of reversion to the present possessors, after that his Majesty the King of the Two Sicilies shall have succeeded to the crown of Spain: as also in case the said most Serene Infant Don Philip should happen to die without children.

And whereas a definitive treaty of peace having since been concluded, the several points relating to this affair have been, by virtue of the articles thereof, explained, by the common consent of the parties concerned, in the following manner.

In consideration of the restitutions that his most Christian Majesty and his Catholic Majesty make, by the present treaty, either to her Majesty the Queen of  
Hungary

Hungary and Bohemia, or to his Majesty the King of Sardinia, the dutchies of Parma, Placentia, and Guastalla shall, for the future, belong to the most Serene Infant Don Philip, to be possessed by him, and his male descendants born in lawful marriage, in the same manner, and in the same extent, as they have been or ought to be possessed by the present possessors; and the said most Serene Infant, or his male descendants, shall enjoy the said three dutchies, conformably and under the conditions expressed in the acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

These acts of cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their ratifications of the present treaty, to the Ambassador Extraordinary and Plenipotentiary of the Catholic King, in like manner as the Ambassadors Extraordinary and Plenipotentiaries of the most Christian King and Catholic King shall deliver, with the ratifications of their Majesties, to the Ambassadors Extraordinary and Plenipotentiaries of the King of Sardinia, the orders to the generals of the French and Spanish troops to restore Savoy and the county of Nice to the persons appointed by that Prince to receive them; so that the restitution of the said States, and the taking possession of the dutchies of Parma, Placentia, and Guastalla, by or in the name of the most Serene Infant Don Philip, may be effected in the same time, conformably to the said acts of cession.

Wherefore, in order to fulfil those things, to which we have bound ourselves by the articles before inserted, and in the firm hope that the most Christian and Catholic Kings, and the future possessor of the aforesaid three dutchies, and his male descendants, will, on their part, *bonâ fide*, and punctually, fulfil the tenor of the articles above-mentioned, and will likewise restore to us, within the same time, the states and places which are to be restored to us in consequence of the second

and eighteenth articles of the same preliminaries, we do yield and renounce, for us and our successors, under the conditions expressed in the above-mentioned articles, all rights, claims, and pretensions to us, under any title or cause whatsoever belonging, upon the aforesaid three dutchies of Parma, Placentia, and Guastalla, formerly possessed by us; and transfer the same rights, claims, and pretensions, in the best and most solemn manner possible, to the most Serene Don Philip Infant of Spain, and his male descendants to be born in lawful marriage, absolving all the inhabitants of the said dutchies from the allegiance and oath which they have taken to us, who shall be obliged for the future to pay the same allegiance to those to whom we have yielded our rights; all which however is to be understood only for that space of time that either the said most Serene Infant Don Philip, or one of his descendants, shall not have ascended either the throne of the Two Sicilies, or of Spain; for at that time, and in case the aforesaid Infant should die without male descendants, we expressly reserve to ourselves, our heirs and successors, all rights, claims, and pretensions, which have heretofore belonged to us, and consequently the right of reversion to the said dutchies.

In witness whereof, &c.

CHARLES Emanuel, &c. The desire we have to contribute, on our part, to the most speedy re-establishment of the public tranquillity, which lately induced us to accede to the preliminary articles, signed the 30th of April last, between the Ministers of his Britannic Majesty, his most Christian Majesty, and the Lords the States General of the United Provinces, which we did on the 31st of May last, by our Plenipotentiary accordingly accede to, inducing us now to accomplish as much as is to be performed on our part in pursuance of them; and particularly for the execution of what is contained in the fourth article of the said preliminaries, by virtue whereof the dutchies of  
Parma,

Parma, Placentia, and Guastalla, are to be yielded to the most Serene Prince Don Philip, Infant of Spain, to hold, as an establishment, with the right of reversion to the present possessors, as soon as his Majesty the King of the Two Sicilies shall have succeeded to the crown of Spain, or that the said Infant should happen to die without issue male; we, in conformity thereto, do, by the present act, renounce, yield, and transfer, for ourselves and our successors, to the aforesaid most Serene Infant Don Philip, and to his male issue, and their descendants born in lawful marriage, the town of Placentia, and the Plaisantine (whereof we were possessed) to be held and possessed by him as Duke of Placentia; renouncing to this end all rights, claims, and pretensions, which we have upon them, reserving, however, expressly, to us and our successors, the right of reversion in the cases above-mentioned.

In witness whereof, &c.

VIII. In order to secure and effectuate the said restitutions and cessions, it is agreed, that they shall be entirely executed and accomplished on all sides, in Europe, within the term of six weeks, or sooner if possible, to be reckoned from the day of the exchange of the ratifications of all the eight Powers; it being provided, that in fifteen days after the signing of the present treaty, the generals, or other persons, whom the high contracting parties shall think proper to appoint for that purpose, shall meet at Brussels and at Nice, to concert and agree on the method of proceeding to the restitutions, and of putting the parties in possession, in a manner equally convenient for the good of the troops, the inhabitants, and the respective countries; but so that all and each of the high contracting Powers may be, agreeable to their intentions, and to the engagements contracted by the present treaty, in full and peaceable possession, without any exception, of all that is to be acquired to them, either by restitution or cession, within the said term of

fix weeks, or sooner if possible, after the exchange of the ratifications of the present treaty by all the said eight Powers.

IX. In consideration that, notwithstanding the reciprocal engagement taken by the eighteenth article of the preliminaries, importing that all the restitutions and cessions should be carried on equally, and should be executed at the same time, his most Christian Majesty engages, by the sixth article of the present treaty, to restore within the space of six weeks, or sooner if possible, to be reckoned from the day of the exchange of the ratifications of the present treaty, all the conquests which he has made in the Low Countries; whereas it is not possible, considering the distance of the countries, that what relates to America should be effected within the same time, or even to fix the time of its entire execution; his Britannic Majesty likewise engages on his part to send to his most Christian Majesty, immediately after the exchange of the ratifications of the present treaty, two persons of rank and consideration, who shall remain there as hostages, till there shall be received a certain and authentic account of the restitution of Isle Royal, called Cape Breton, and of all the conquests which the arms or subjects of his Britannic Majesty may have made, before or after the signing of the preliminaries, in the East and West Indies.

Their Britannic and most Christian Majesties oblige themselves likewise to cause to be delivered, upon the exchange of the ratifications of the present treaty, the duplicates of the orders addressed to the commissaries appointed to restore and receive, respectively, whatever may have been conquered on either side in the said East and West Indies, agreeably to the second article of the preliminaries, and to the declarations of the 21st and 31st of May, and the 8th of July last, in regard to what concerns the said conquests in the East and West Indies. Provided nevertheless, that Isle Royal, called Cape Breton, shall be restored, with all  
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the artillery and warlike stores which shall have been found therein on the day of its surrender, conformably to the inventories which have been made thereof, and in the condition that the said place was in on the said day of its surrender. As to the other restitutions, they shall take place conformably to the meaning of the second article of the preliminaries, and of the declarations and convention of the 21st and 31st of May, and the 8th of July last, in the condition in which things were on the 11th of June, N. S. in the West Indies, and on the 31st of October also, N. S. in the East Indies. And every thing besides shall be re-established on the foot that they were or ought to be before the present war.

The said respective commissaries, as well those for the West, as those for the East Indies, shall be ready to set out on the first advice that their Britannic and most Christian Majesties shall receive of the exchange of the ratifications, furnished with all the necessary instructions, commissions, powers, and orders, for the most expeditious accomplishment of their said Majesties intentions, and of the engagements taken by the present treaty.

X. The ordinary revenues of the countries that are to be respectively restored or yielded, and the impositions laid upon those countries for the entertainment and winter quarters of the troops, shall belong to the Powers that are in possession of them, till the day of the exchange of the ratifications of the present treaty, without, however, its being permitted to proceed to any kind of execution, provided sufficient security has been given for the payment; it being always to be understood, that the forage and utensils for the troops shall be furnished till the evacuations; in consequence of which, all the Powers promise and engage not to demand or exact impositions and contributions which they may have laid upon the countries, towns, and places that they have possessed during the course of the war, and which had not been paid at the time that the

events of the said war had obliged them to abandon the said countries, towns, and places; all pretensions of this nature being made void by the present treaty.

XI. All the papers, letters, documents, and archives, which were in the countries, estates, towns, and places which are restored, and those belonging to the countries yielded, shall be respectively, and *bonâ fide*, delivered or given up at the same time, if possible, as possession shall be taken, or at farthest two months after the exchange of the ratifications of the present treaty of all the eight parties, in whatever places the said papers or documents may be, namely, those which may have been removed from the archive of the great council of Mechlin.

XII. His Majesty the King of Sardinia shall remain in possession of all that he antiently and newly enjoyed, and particularly of the acquisition which he made in the year 1743 of the Vigevanasque, a part of the Pavese, and the county of Anghiera, in the manner as this Prince now possesses them, by virtue of the cessions that have been made of them to him.

XIII. The most Serene Duke of Modena, by virtue as well of the present treaty, as of his rights, prerogatives, and dignities, shall take possession six weeks, or sooner if possible, after the exchange of the ratifications of the said treaty, of all his states, places, forts, countries, effects, and revenues, and, in general, of all that he enjoyed before the war.

At the same time shall be likewise restored to him his archives, documents, writings, and moveables, of what nature soever they may be, as also the artillery and warlike stores which shall have been found in his countries at the time of their being seized. As to what shall be wanting, or shall have been converted into another form, the just value of the things so taken away, and which are to be restored, shall be paid in ready money; which money, as well as the equivalent for the fiefs which the most Serene Duke of Modena possessed

possessed in Hungary, if they are not restored to him, shall be settled and adjusted by the respective generals or commissaries, who, according to the eighth article of the present treaty, are to assemble at Nice in fifteen days after the signature, in order to agree upon the means for executing the reciprocal restitutions and putting in possession, so that at the same time, and on the same day as the most Serene Duke of Modena shall take possession of all his states, he may likewise enter into the enjoyment, either of his fiefs in Hungary, or of the said equivalent, and receive the value of such things as cannot be restored to him. Justice shall also be done him, within the same time of six weeks after the exchange of the ratifications, with respect to the allodial effects of the House of Guastalla.

XIV. The most Serene Republic of Genoa, as well by virtue of the present treaty, as of its rights, prerogatives, and dignities, shall re-enter into the possession, six weeks, or sooner if possible, after the exchange of the ratifications of the said treaty, of all the states, forts, places, countries, effects, of what nature soever they may be, rents and revenues, that it enjoyed before the war; particularly, all and every one of the members and subjects of the said republic shall, within the aforesaid term after the exchange of the ratifications of the present treaty, re-enter into the possession, enjoyment, and liberty of disposing of all the funds which they had in the bank of Vienna, in Austria, in Bohemia, or in any other part whatsoever of the states of the Empress Queen of Hungary and Bohemia, and of those of the King of Sardinia; and the interest shall be exactly and regularly paid them, to be reckoned from the said day of the exchange of the ratifications of the present treaty.

XV. It has been settled and agreed upon between the eight high contracting parties, that, for the advantage and maintenance of the peace in general, and for



the tranquillity of Italy in particular, all things shall remain there in the condition they were in before the war; saving, and after, the execution of the dispositions made by the present treaty.

XVI. The treaty of the Affiento for the trade of negroes, signed at Madrid on the 26th of March, 1713, and the article of the annual ship, making part of the said treaty, are particularly confirmed by the present treaty, for the four years during which the enjoyment thereof has been interrupted, since the commencement of the present war, and shall be executed on the same footing, and under the same conditions, as they have or ought to have been executed before the said war.

XVII. Dunkirk shall remain fortified on the side of the land, in the same condition as it is at present; and as to the side of the sea, it shall remain on the footing of former treaties.

XVIII. The demands of money that his Britannic Majesty has, as Elector of Hanover, upon the crown of Spain; the differences relating to the abbey of St. Hubert; the enclaves of Hainault, and the bureaux newly established in the Low Countries; the pretensions of the Elector Palatine; and the other articles, which could not be regulated so as to enter into the present treaty, shall be amicably adjusted immediately by the commissaries appointed for that purpose on both sides, or otherwise, as shall be agreed on by the Powers concerned.

XIX. The fifth article of the treaty of the quadruple alliance, concluded at London the 2d of August, 1718, containing the guaranty of the succession to the kingdom of Great Britain in the House of his Britannic Majesty now reigning, and by which every thing has been provided for that can relate to the person who has taken the title of King of Great Britain, and to his descendants of both sexes, is expressly confirmed

firmed and renewed by the present article, as if it was here inserted in its full extent.

XX. His Britannic Majesty, as Elector of Brunswic Lunenburg, as well for himself, as for his heirs and successors, and all the states and possessions of his said Majesty in Germany, are included and guaranteed by the present treaty of peace.

XXI. All the Powers interested in the present treaty, who have guaranteed the pragmatic sanction of the 19th of April, 1713, for the whole inheritance of the late Emperor Charles the Sixth, in favour of his daughter the Empress Queen of Hungary and Bohemia, now reigning, and of her descendants for ever, according to the order established by the said pragmatic sanction, renew it in the best manner possible; except however the cessions already made, either by the said Emperor, or the said Princess, and those stipulated by the present treaty.

XXII. The dutchy of Silesia, and the county of Glatz, as his Prussian Majesty now possesses them, are guaranteed to that Prince by all the Powers, parties, and contractors of the present treaty.

XXIII. All the Powers contracting and interested in the present treaty, reciprocally and respectively guarantee the execution thereof.

XXIV. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged in this city of Aix-la-Chapelle, between all the eight parties, within the space of one month, or sooner if possible, to be reckoned from the day of its signature.

In witness whereof, we the under-written their Ambassadors Extraordinary and Ministers Plenipotentiaries have signed with our hands, in their name, and by virtue of our full powers, the present

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sent treaty of peace, and have caused the seals of our arms to be put thereto.

Done at Aix-la-Chapelle, the 18th of October, 1748.

(Signed)

(L. S.) *Sandwich.*

(L. S.) *W. Bentinck.*

(L. S.) *T. Robinson.*

(L. S.) *G. A. Hasselaer.*

(L. S.) *St. Severin d' Aragen.*

(L. S.) *J. V. Borsselle.*

(L. S.) *La Porte du Theil.*

(L. S.) *Q. Z. Van Flaren.*

*Separate Articles.*

I. SOME of the titles made use of by the contracting Powers, either in the full powers, and other acts during the course of the negotiation, or in the preamble of the present treaty, not being generally acknowledged, it has been agreed, that no prejudice shall at any time result therefrom to any of the said contracting parties; and that the titles taken or omitted on either side, on account of the said negotiation, and of the present treaty, shall not be cited, or any consequence drawn therefrom.

II. It has been agreed and determined, that the French language, made use of in all the copies of the present treaty, and which may be used in the acts of accession, shall not be made a precedent that may be alledged, or drawn into consequence, or in any manner prejudice any of the contracting Powers; and that they conform themselves for the future to what has been and ought to be observed with regard to, and on the part of Powers, who are used and have a right to give and receive copies of like treaties and acts in another language than the French.

The present treaty, and the accessions which shall intervene, having still the same force and effect as if the aforesaid practice had been therein observed; and the present ~~separate articles shall have likewise the same force as if they were inserted in the treaty.~~

In witness whereof, we the under-written Ambassadors Extraordinary and Ministers Plenipotentiaries of his Britannic Majesty, of his most Christian Majesty, and of the Lords the States General of the United Provinces, have signed the present separate articles, and caused the seals of our arms to be put thereto.

Done at Aix-la-Chapelle, the 18th of October, 1748.

(Signed)

(L. S.) *Sandwich.*

(L. S.) *W. Bentinck.*

(L. S.) *T. Robinson.*

(L. S.) *G. A. Hasselaer.*

(L. S.) *St. Severin d' Aragon.*

(L. S.) *J. V. Borsselle.*

(L. S.) *La Porte du Theil.*

(L. S.) *O. Z. Van Haren.*

*His Britannic Majesty's Full Power.*

GEORGE R.

GEORGE the Second, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, Duke of Brunswic and Lunenburg, Arch-treasurer of the Holy Roman Empire, and Prince Elector, &c.; to all to whom these presents shall come, greeting. Whereas, in order to perfect the work of a general peace, so happily begun, and to bring it as soon as possible to the desired conclusion, we have thought proper to invest two fit persons with the title and character of our Ambassadors Extraordinary and Plenipotentiaries at the present congress; Know ye therefore, that we having entire confidence in the zeal, judgment, skill, and abilities in managing great affairs, of our right trusty and well-beloved cousin John Earl of Sandwich, as also our trusty and well-beloved Thomas Robinson, Knight of the most honourable Order of the Bath, and our Minister Plenipotentiary to our good sister the Empress of Germany, Queen of Hungary and Bohemia, have named, made, constituted, and appointed, as we by these presents name, make, constitute, and appoint them our true and

and undoubted Ambassadors Extraordinary, Ministers, Commissioners, Deputies, Procurators, and Plenipotentiaries, giving unto them, or each of them, jointly or separately, all and all manner of power and authority, as well as our general and special command (yet so that the general do not derogate from the special, or otherwise) to repair to Aix-la-Chapelle, or to any other place where the treaty and negotiations for the above-mentioned peace and tranquillity may be to be carried on; and there, for us, and in our name, together with the Ambassadors, Commissioners, Deputies, and Plenipotentiaries of the Princes and States whom it may concern, properly vested with the same power and authority to meet in congress and conference, either singly and separately, or jointly and in a body; and with them to agree upon, treat, consult, and conclude what may be necessary for making a firm and stable peace, and re-establishing a sincere friendship and good harmony; and to sign for us, and in our name, every thing so agreed upon and concluded; and to make a treaty or treaties upon what shall have been so agreed and concluded, and to do and transact all other matters which may appertain to the finishing the abovesaid work, in as ample manner and form, and with equal force and efficacy, as we ourselves could do, if personally present; engaging, and on our Royal word promising, that whatever things shall be transacted and concluded by our said Ambassadors Extraordinary and Plenipotentiaries, or by either of them, shall be agreed to, acknowledged, and accepted by us, in the fullest manner; and that we will never suffer, either in the whole or in part, any person whatsoever to infringe or act contrary to the same. In witness whereof, we have signed these presents with our Royal hand, and have caused to be affixed thereto our great seal of Great Britain. Given at our palace at Herrnhafen, the <sup>Thirtieth</sup>/<sub>Tenth</sub> day of <sup>July</sup>/<sub>August</sub>, in the year of our Lord 1748, and in the twenty-second year of our reign.

*The*

*The most Christian King's Full Power.*

LEWIS, by the grace of God, King of France and Navarre; to all those to whom these presents shall come, greeting. Whereas we are desirous of omitting nothing in our power in order to accelerate the conclusion of the great and salutary work of peace, and the re-establishment of the public tranquillity, trusting entirely to the capacity and experience, zeal and fidelity for our service, of our dear and well-beloved the Count de St. Severin d'Aragon, Knight of our Orders, and the Sieur de la Porte du Theil, Counsellor in our councils, Secretary of our chamber and cabinet, and of the commands of our most dear and most beloved son the Dauphin. For these causes, and other good considerations us thereto moving, we have commissioned and ordained them, and by these presents, signed with our hand, do commission and ordain, and have given them, and do give to the one and to the other jointly, as well as to either of them separately, in case of absence or indisposition of the other, full power, commission, and special order, in our name, and in the quality of our Ambassadors Extraordinary and Plenipotentiaries, to agree with the Ambassadors and Ministers actually assembled at Aix-la-Chapelle for the conclusion of a peace, provided with full powers in good form on the part of their masters, to settle, conclude, and sign such treaties, articles, and conventions, as the one and the other together, or either of them, in the aforesaid case of absence or indisposition of the other, shall think good, and chiefly the definitive treaty, which shall re-establish a solid peace and perfect union between us and the Princes and States formerly at war, or auxiliaries of the Powers at war; promising, on the faith and word of a King, to accept, keep firm and stable for ever, accomplish and execute punctually, all that the said Count de St. Severin d'Aragon, and the said Sieur de la Porte du Theil, or either of them, in the said cases  
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of absence or indisposition of the other, shall have stipulated, promised, and signed by virtue of this present power, without ever contravening the same, or suffering it to be contravened, for what cause or under what pretext soever; as also to cause our letters of ratification thereof to be dispatched in good form, and exchanged in the time that shall be agreed upon: for such is our pleasure. In witness whereof, we have caused our seal to be put to these presents. Given at Fontainebleau, the 7th day of October, in the year of grace 1748, and of our reign the thirty-fourth.

(Signed) LEWIS.

(And lower)

By the King,

(Signed) Brulart.

And sealed with the great seal in yellow wax.

*The States General's Full Power.*

THE States General of the United Provinces of the Netherlands; to all those who shall see these presents, greeting. Whereas we desire nothing more ardently than to see the war, with which Christendom is at present afflicted, terminated by a good peace; and the city of Aix-la-Chapelle has been agreed upon for the place of the conferences; we, by the same desire of putting a stop, as far as shall be in us, to the defolation of so many provinces, and to the effusion of so much Christian blood, have been willing to contribute thereto all that depends upon us; and, to this end, to depute to the said assembly some persons out of our own body, who have given several proofs of the knowledge and experience which they have of public affairs, as well as of the affection which they have for the good of our State.

And whereas the Sieurs William Count Bentinck, Lord of Rhoon and Pendrecht, of the body of Nobles of the province of Holland and West Frizeland,  
Curator

Curator of the University of Leyden, &c.; Frederic Henry Baron Wassenaer, Lord of Catwyck and Zand, of the body of Nobles of the province of Holland and West Frizeland, Hoog-Heemrade of Rhymland, &c.; Gerard Arnold Hasselaer, Schepen and Senator of the city of Amsterdam, and Director of the East India Company; and Onno Zwiët van Haren, Grietman of West Stellingwerf, deputed counsellor of the province of Frizeland, and Commissary General of all the Swiss and Grison troops in our service; respective deputies in our Assembly, and in the Council of State, on the part of the provinces of Holland and West Frizeland, and Frizeland, have distinguished themselves in several employments of importance for our service, in which they have given marks of their fidelity, application, and address in the management of affairs: for these causes, and other good considerations us thereunto moving, we have commissioned, ordained, and deputed the said Sieurs Bentinck, Wassenaer, Hasselaer, and van Haren, do commission, ordain, and depute them by these presents, and have given and do give unto them full power, commission, and special order, to go to Aix-la-Chapelle, in quality of our Ambassadors Extraordinary and Plenipotentiaries for the peace, and there to confer with the Ambassadors Extraordinary and Plenipotentiaries of his most Christian Majesty, and his allies, provided with sufficient powers, and there to treat of the means of terminating and pacifying the differences which at present occasion the war; and our said Ambassadors Extraordinary and Plenipotentiaries all together, or any of them, or any one among them, in case of absence of the others, by sickness or other impediment, shall have power to agree about the same, and thereupon to conclude and sign a good and sure peace, and in general to transact, negotiate, promise, and grant whatever they shall think necessary to the said effect of the peace, and generally to do every thing that we could do if we were there present, even though a more special power and order,



not contained in these presents, should be necessary for that purpose; promising sincerely and *bonâ fide* to accept and keep firm and stable what by our said Ambassadors Extraordinary and Plenipotentiaries, or by any, or any one of them, in case of sickness, absence, or other impediment of the others, shall have been stipulated, promised, and granted, and thereof to cause our letters of ratification to be dispatched in the time that they shall have promised in our name to furnish them. Given at the Hague, in our assembly, under our great seal, the paraphe of the president of our assembly, and the signature of our first greffier, the eighth day of March, 1748.

(Signed) *H. van Iffelmuden, V<sup>r</sup>.*

(Lower)

By order of the said Lords the States General,

(Signed) *H. Fagel.*

*The States General's Full Power.*

THE States General of the United Provinces of the Netherlands; to all those who shall see these presents, greeting. Whereas we desire nothing more ardently than to see the war, with which Christendom is at present afflicted, terminated by a good peace; and the city of Aix-la-Chapelle has been agreed upon for the place of the conferences: we, by the same desire of putting a stop, as far as shall be in us, to the desolation of so many provinces, and to the effusion of so much Christian blood, have been willing to contribute thereto all that depends upon us; and, to this end, have already deputed some persons heretofore to the said assembly out of our own body, who have given several proofs of the knowledge and experience which they have of public affairs, as well as of the affection which they have for the good of our State; to wit, the Sieurs William Bentinck, Lord of Rhoon and Pendrecht, of the body of Nobles of the province of Holland and West Frizeland, Curator of the university

sity of Leyden, &c.; Frederic Henry Baron Waffenaer, Lord of Catwyck and Zand, of the body of Nobles of the province of Holland and West-Friesland, Hoog-Heemrade of Rhyndland, &c.; Gerard Arnold Hasselaer, Schepen and Senator of the city of Amsterdam, and Director of the East India Company; and Onno Zwier van Haren, Grietman of West-Stellingwerff, Deputed Counsellor of the province of Friesland, and Commissary General of all the Swiss and Grison troops in our service; respective Deputies in our Assembly, and in the Council of State, on the part of the provinces of Holland and West-Friesland, and Friesland. And whereas we have at present thought proper to join a fifth person to the four above-mentioned, for this same purpose; and the Sieur John Baron Van Borffele, first Noble, and representing the nobility, in the States, in the Council, and in the Admiralty of Zeeland, Director of the East India Company, and Deputy in our Assembly on the part of the said province of Zeeland, has distinguished himself in several employments of importance for our service, in which he has given marks of his fidelity, application, and address in the management of affairs: for these causes, and other good considerations us thereunto moving; we have commissioned, ordained, and deputed the said Sieur van Borffele, do commission, ordain, and depute him, by these presents, and have given and do give unto him full power, commission, and special order, to go to Aix-la-Chapelle, in quality of our Ambassador Extraordinary and Plenipotentiary for the peace, and there to confer with the Ambassadors Extraordinary and Plenipotentiaries of his most Christian Majesty and his allies, provided with sufficient full powers, and there to treat of the means of terminating and pacifying the differences which at present occasion the war; and our said Ambassador Extraordinary and Plenipotentiary, together with the said Sieurs Bentinck, Waffenaer, Hasselaer, and Van Haren, our other four Ambassadors Extraordinary and Plenipotentiaries, or with any

or any one of them, or even alone, in case of absence of the others by sickness or other impediment; shall have power to agree about the same, and thereupon to conclude and sign a good and sure peace, and in general to transact, negotiate, promise, and grant whatever he shall think necessary for the said effect of the peace, and generally do every thing that we could do if we were there present, even though a more special power and order, not contained in these presents, should be necessary for that purpose; promising sincerely, and *bona fide*, to accept and keep firm and stable whatever by the said Sieur van Borffele, together with our other four Ambassadors Extraordinary and Plenipotentiaries, or any or any one of them, or by him alone, in case of sickness, absence, or other impediment of the others, shall have been stipulated, promised, and granted, and thereof to cause our letters of ratification to be dispatched in the time that they shall have promised in our name to furnish them. Given at the Hague, in our Assembly, under our great seal, the paragraph of the President of our Assembly, and the signature of our first Greffier, the 25th day of April, 1748.

(Signed) *H. V. Hamerßer, V.*

(Lower)

By order of the said Lords the States General,

(Signed) *H. Fagel.*

*The Accession of the Empress Queen of Hungary.*

In the Name of the most Holy and Undivided Trinity, Father, Son, and Holy Ghost.

BE it known to all whom it shall or may concern, The Ambassadors Extraordinary and Plenipotentiaries of his Britannic Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States General of the United Provinces, having concluded and signed, in this city of Aix-la-Chapelle, on the 18th day of this present month of October, upon the basis  
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of the preliminaries which were agreed upon and concluded between them the 30th day of April of the present year, a general and definitive treaty of peace, and two separate articles, the tenor of which treaty and separate articles follows.

[*Fiat Infortio.*]

And the said Ambassadors Extraordinary and Plenipotentiaries having, in a friendly manner, invited the Ambassador Extraordinary and Plenipotentiary of her Majesty the Empress Queen of Hungary and Bohemia, to accede thereto, in the name of her said Majesty;

The Ambassadors underwritten, that is to say, on the part of the most Serene and most Potent Prince, George the Second, by the grace of God, King of Great Britain, John Earl of Sandwich, Viscount Hinchinbrooke, Baron Montagu of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords of the Regency of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Sir Thomas Robinson, Knight of the most honourable Order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and to her Majesty the Empress Queen of Hungary and Bohemia: and on the part of the most Serene and most Potent Princess Maria Theresia, by the grace of God, Queen of Hungary and Bohemia, Empress, the Lord Wenceslas Anthony Count de Kaunitz Rittberg, Lord of Effens, Stetesdorff, Wittmund, Austerlitz, Hungrischbrod, Wiese, &c. actual Privy Counsellor to their Imperial Majesties, by virtue of their full powers, which they have communicated to each other, and copies whereof are annexed to the end of this present act, have agreed on what follows.

That her Majesty the Empress Queen of Hungary and Bohemia, being desirous of contributing to re-establish and confirm, as soon as possible, the repose of

Europe, accedes, by virtue of the present act, to the said treaty and two separate articles, without any reserve or exception, in the firm confidence that every thing, which is therein promised to her said Majesty, will be *bonâ fide* fulfilled; declaring, at the same time, and promising, that she will, in like manner, most faithfully perform all the articles, clauses, and conditions which relate to her.

His Britannic Majesty likewise accepts the present accession of the Empress Queen of Hungary and Bohemia, and promises, in like manner, to perform, without any reserve or exception, all the articles, clauses, and conditions, contained in the said treaty, and the two separate articles before inserted.

The ratifications of the present act shall be exchanged, in this city of Aix-la-Chapelle, within the space of three weeks, to be computed from this day.

In witness whereof, we the Ambassadors Extraordinary and Plenipotentiaries of his Britannic Majesty, and her Majesty the Empress Queen of Hungary and Bohemia, have signed the present act, and have thereunto affixed the seal of our arms.

Done at Aix-la-Chapelle, the 23d day of October, 1748.

(L. S.) *Le Comte V. A. de Kaunitz Rittberg.*

*The Empress Queen of Hungary's Full Power.*

WE Maria Theresia, by the grace of God, Empress of the Romans, and of Germany, of Hungary, Bohemia, Dalmatia, Croatia, Slavonia, &c. Queen; Arch-Dutcheß of Austria, Dutcheß of Burgundy, Brabant, Milan, Styria, Carinthia, Carniola, Mantua, Parma and Placentia, Limburgh, Luxemburgh, Gueldre, Wurtemberg, of the Upper and Lower Silesia; Princess of Suabia and Transylvania; Marchioness of the Holy Roman Empire, Burgovia, Moravia, and the Upper and Lower Lusatia; Countess of Habspurg,

purg, Flanders, Tirol, Ferrete, Kybourg, Goritia, Gradisca, and Artois; Countess of Namur; Lady of the marches of Slavonia, the Port of Naon, Saline, and Mechlin, &c.; Dutchess of Lorraine and Barr, Great Dutchess of Tuscany, &c. do make known and certify, by virtue of these presents. Whereas we are informed that the Congress, which had been opened at Breda, is dissolved; and that conferences are to be held at Aix-la-Chapelle, between the Ministers of the several Princes engaged in the present war, authorized to agree upon the means of terminating the differences that have arisen between them, and restoring peace; and, as we have nothing more at heart, than to do every thing, that depends upon us, towards obtaining, as soon as possible, so desirable an end, in the most secure and effectual manner, we lose no time in doing our part towards the promoting so salutary a work, by sending thither our Ministers Plenipotentiaries, whom we have, moreover, invested with the character of our Ambassadors. Confiding therefore entirely in the often tried fidelity, experience in business, and great prudence of our actual Privy Counsellor, Wenceslaus Anthony de Kaunitz and Rittberg, Count of the Holy Roman Empire, as also of Thaddæus, Free Baron of Reischach, our Lord of the Bed-chamber, Counsellor for the government of Anterior Austria, and our Minister to the High and Mighty the States General of the United Provinces; both of whom, and each of them, we have invested with the character of our Ambassador, as well as with full powers, as we do accordingly, by these presents, invest them both, and each of them, in case of the absence or hinderance of the other, in the most ample manner possible; to the end that both or either of them, in case of the absence or hinderance of the other, may join their endeavours with our allies and their Ministers, hold friendly conferences with those of other Princes, engaged in the present war against us or our allies, and with any one or more of them, furnished with the like full powers, and agree upon any matters and

things relating thereto, and whatever shall have been so agreed upon, whether jointly or separately, to sign and seal; and, in a word, to do all those things, in our name, which we ourselves could do if personally present: promising, on our Imperial, Royal, and Archiducal word, that we will agree to, accept of, and faithfully fulfil, all and singular such acts as our aforesaid Ministers Plenipotentiaries, invested over and above with the characters of our Ambassadors, shall have so done, concluded, and signed. In witness whereof, and for its greater force, we have signed the present full powers with our own hand, and ordered our Imperial, Royal, and Archiducal seal to be affixed thereto. Given in our city of Vienna, the 19th day of December, in the year 1747, the eighth year of our reign.

(Signed) MARIA THERESIA.

*C. Count Ulfeld.*

By command of her Sacred Imperial Royal Majesty,  
*John Christoph. Bartenstein.*

*His Catholic Majesty's Accession.*

In the Name of the most Holy and Undivided Trinity,  
Father, Son, and Holy Ghost.

BE it known to all those to whom it shall belong or can belong. The Ambassadors and Plenipotentiaries of his Britannic Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States General of the United Provinces, having concluded and signed at Aix-la-Chapelle, the 18th of October of this year, a definitive treaty of peace, and two separate articles; the tenor of which treaty and separate articles is as follows.

[*Fiat Insertio.*]

And the said Ambassadors and Plenipotentiaries having amicably invited the Ambassador Extraordinary and Plenipotentiary of his Catholic Majesty to accede thereto, in the name of his said Majesty; the under-written Ambassadors, to wit, on the part of the most

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Serene

Serene and most Potent Prince, George the Second, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswic and Lunenburg, Arch-treasurer and Elector of the Holy Roman Empire, &c. the Lords John Earl of Sandwich, Viscount of Hinchinbrooke, Baron Montagu of St. Neots, Peer of England, first Lord Commissioner of the Admiralty, one of the Lords Regents of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Thomas Robinson, Knight of the most honourable Order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia: and on the part of the most Serene and most Potent Prince, Ferdinand the Sixth, by the grace of God, King of Spain and of the Indies, the Lord Don James Massone de Lima y Soto Mayor, Lord of the Bed-chamber of his said Catholic Majesty, and Major General of his armies. By virtue of their full powers, which they have communicated, and copies whereof are added at the end of the present act, have agreed upon what follows.

That his Catholic Majesty, desiring to contribute and concur to re-establish and settle, as soon as possible, the peace of Europe, accedes, by virtue of the present act, to the said treaty, and two separate articles, without any reserve or exception, in a firm confidence, that whatsoever is promised therein to his said Majesty, shall be faithfully fulfilled; declaring, at the same time, and promising, that he will also perform most faithfully all the articles, clauses, and conditions which concern him.

In like manner his Britannic Majesty accepts the present accession of his Catholic Majesty; and likewise promises to perform, without any reserve or exception, all the articles, clauses, and conditions contained in the said treaty, and two separate articles, inserted above.



The ratifications of the present act shall be exchanged in this city of Aix-la-Chapelle in the space of a month, to be computed from this day.

In testimony whereof, we the Ambassadors Extraordinary and Plenipotentiaries of his Britannic Majesty, and of his Catholic Majesty, have signed the present act, and have caused the seal of our arms to be set thereto.

Done at Aix-la-Chapelle, the 20th of October, 1748.

(L. S.) *Sandwich.* (L. S.) *Don Jayme Masones de*  
(L. S.) *T. Robinson.* *Lima y Soto Mayor.*

*His Catholic Majesty's Full Power.*

FERDINAND, by the grace of God, King of Castille, of Leon, of Aragon, of the Two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Cordova, of Corsica, of Murcia, of Jaen, of the Algarves, of Algezira, of Gibraltar, of the Canary Islands, of the East and West Indies, the Islands and Terra Firma of the Ocean Sea, Archduke of Austria, Duke of Burgundy, of Brabant and Milan, Count of Hapsburg, of Flanders, Tirol, and Barcelona, Lord of Biscay and of Molina, &c. Whereas it has been my most earnest desire, ever since Divine Providence has trusted me with the government of the vast dominions annexed to my crown, to put an honourable end to the troubles in which I found my arms involved, and to concur in giving peace to Europe, by all the just means that should appear most conducive to that end: and whereas I knowing that several Ministers, and particularly those of the Powers now at war, are meeting at Aix-la-Chapelle with the same view to a general pacification; and it being therefore necessary that I should appoint one to assist on my part, endowed with that fidelity, zeal, and understanding, requisite for such a purpose, and finding in you, Don  
Jaime

Jaime Masone de Lima, Lord of my Bed-chamber, and Major General of my armies, these special and distinguished qualifications; I do chuse and nominate you, to the end that, invested with the character of my Ambassador Extraordinary and Plenipotentiary, you do repair, in my name, to Aix-la-Chapelle, and, representing at that place my own person, you do treat and confer with the Minister or Ministers of the Powers now at war, who do already, or shall hereafter, reside there, or in any other place where it shall be thought convenient to treat; and to the end that you may, in the same manner, conclude and sign with the said Ministers, the treaty or treaties which shall tend to the sole view of producing a solid and honourable peace; and whatever you may thus treat of, conclude, and sign, I do from this time acknowledge as accepted and ratified, and promise, upon my Royal word, to observe and fulfil, and to cause the same to be observed and fulfilled, in the same manner as if I myself had treated and conferred upon, concluded and signed the same. To which end, I do hereby give you all my authority and full power, in the most ample manner as by law required. In witness whereof, I have caused the presents to be dispatched, signed with my hand, sealed with my secret seal, and countersigned by my under-written counsellor, and secretary of state, and of the general dispatch of war, the revenues, Indies, and marine. Given at Aranjúés, the 12th of May, 1748.

*I the KING.*

*Conon de Somo de Villa.*

*His Sardinian Majesty's Accession.*

In the Name of the most Holy and Undivided Trinity, Father, Son, and Holy Ghost

BE it known to all that these things are done, or may belong.

The Ambassador Extraordinary and Plenipotentiaries of his Britannic Majesty, of his most Christian Majesty,

*Majesty,*

Majesty, and of the High and Mighty Lords the States General of the United Provinces, having concluded and signed in this city of Aix-la-Chapelle, the 18th of the month of October last, upon the foundation of the preliminaries at first agreed to and settled amongst them the thirtieth of April of this year, a general and definitive treaty of peace, and two separate articles, the tenor of which treaty and separate articles is as follows.

[ *Fiat Inscriptio.* ]

And the said Ambassadors Extraordinary and Plenipotentiaries having amicably invited the Ambassadors Extraordinary and Plenipotentiaries of his Majesty the King of Sardinia to accede thereto, in the name of his said Majesty;

The under-written Ambassadors, to wit, on the part of the most Serene and most Powerful Prince, George the Second, by the grace of God, King of Great Britain, France, and Ireland, the Lords John Earl of Sandwich, Viscount of Hinchinbrooke, Baron Montagu of Saint Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords Regents of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Thomas Robinson, Knight of the most honourable Order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia; and on the part of the most Serene and most Potent Prince, Charles Emanuel the Third, by the grace of God, King of Sardinia, the Lords Don Joseph Offorio, Chevalier Grand Croix, and Grand Conservator of the Military Order of the Saints Maurice and Lazarus, and Envoy Extraordinary of his Majesty the King of Sardinia to his Majesty the King of Great Britain; and Joseph Berré, Count de la Chavanne, his Counsellor of State, and his Minister to the Lords the States General of the United Provinces, by virtue of their full powers, which they have communicated to each other,  
and

and copies whereof are added at the end of the present act, have agreed upon what follows.

That his Majesty the King of Sardinia, desiring to contribute and concur to re-establish and settle, as soon as possible, the peace of Europe, accedes, by virtue of the present act, to the said treaty, and two separate articles, in a firm confidence, that whatsoever is promised therein to his said Majesty, shall be faithfully fulfilled; declaring at the same time, and promising, that he will also perform, most faithfully, all the articles, clauses, and conditions, which regard him.

In like manner his Britannic Majesty accepts the present accession of his Majesty the King of Sardinia; and likewise promises to perform, without any reserve or exception, all the articles, clauses, and conditions, contained in the said treaty, and the two separate articles, inserted above.

The ratifications of the present act shall be exchanged in this city of Aix-la-Chapelle, in the space of twenty-five days, to be computed from this day.

In testimony whereof, we the Ambassadors Extraordinary and Plenipotentiaries of his Britannic Majesty, and of his Majesty the King of Sardinia, have signed the present act, and have caused the seal of our arms to be set thereto.

Done at Aix-la-Chapelle, the seventh of November, one thousand seven hundred forty-eight.

(L. S.) *T. Robinson.* (L. S.) *Offorio.*  
(L. S.) *De la Chavanne,*

*The King of Sardinia's Full Power.*

CHARLES EMANUEL, by the grace of God, King of Sardinia, of Cyprus, and of Jerusalem; Duke of Savoy, of Montferrat, of Aoste, of Chablais, of Genevois, and of Plaisance; Prince of Piedmont and of Oneille; Marquis of Italy, of Saluces, of Susa, of Ivree, of Ceve, of Maro, of Oristan, and of Sefane; Count of Maurienne, of Geneva, of Nice, of Tende,  
of

of Romont, of Ast, of Alexandria, of Gocean, of Novara, of Tortona, of Vigevano, and of Bobbio; Baron of Vaud and of Faucigny; Lord of Verceil, of Pignerol, of Tarantaise, of the Lumelline, and of the Valley of Sesia; Prince and Perpetual Vicar of the Holy Empire in Italy, &c.; to all who shall see these presents, greeting. Whereas, after having acceded to the preliminary articles of peace, signed the 30th of April last at Aix-la-Chapelle, we are sincerely desirous of concurring in the perfect re-establishment of the general peace in Europe, to which all the Powers, that have signed and acceded, as we have done, to the aforesaid preliminary articles, are disposed to give their assistance, by reducing those same preliminary articles, and other acts depending thereon, into one definitive treaty of general peace. For these reasons, and other considerations us thereunto moving, we, trusting in the capacity, experience, zeal and fidelity for our service, of our dear, well-beloved, and trusty, the Chevalier Ossorio, Knight, Grand Croix and Grand Conservator of our Military Order of the Saints Maurice and Lazarus, and our Envoy Extraordinary to the King of Great Britain; and the Count Borré de la Chavanne, our Counsellor of State, our Minister to the Lords the States General of the United Provinces, and our Minister Plenipotentiary to the conferences of Aix-la-Chapelle, have named and deputed them, as by these presents we do name and depute them, our Ambassadors Extraordinary and Plenipotentiaries; and have given them, and do give them, power, commission, and special order, in our name, and in the said quality of our Ambassadors Extraordinary and Plenipotentiaries, to make, conclude, and sign, both jointly, or one of them alone, in case of absence, sickness, or other hinderance of the other, with the respective Ambassadors Extraordinary and Plenipotentiaries of the above-mentioned Powers, jointly or separately, provided with powers for that purpose, such definitive treaty of peace, articles, conventions, or acts, as they shall

shall think fit, for re-establishing, in a solid manner, the general peace in Europe, or to accede to those which shall have been already concluded and signed for the same end; willing, that they should, upon those occasions, act with the same authority as we would do, if we were present in person, and even if any thing should occur, which might require a more special order, not contained in these presents: promising, upon the faith and word of a King, to observe and cause to be observed inviolably all that shall be done, agreed, regulated, and signed by the above-mentioned Chevalier Offorio and Count de la Chavanne, our Ambassadors Extraordinary and Plenipotentiaries, without contravening, or suffering any contravention thereto, directly or indirectly, for what cause or under what pretext soever it shall or may be; as also to cause to be dispatched our letters of ratification thereof in due form, to be exchanged within the term which shall be agreed on. In witness whereof, we have signed these presents with our hand, and caused them to be countersigned by the Marquis D. Leopold de Carret de Gorzegne, our First Secretary of State for foreign affairs, and caused the secret seal of our arms to be affixed thereto. Given at Turin, the twenty-fourth of the month of August, in the year of our Lord one thousand seven hundred and forty-eight, and of our reign the nineteenth.

(L S.) C. EMANUEL.

(Lower)

*Carret de Gorzegne.*

*The Accession of the Duke of Modena.*

In the Name of the most Holy and Undivided Trinity, Father, Son, and Holy Ghost.

BE it known to all those to whom it shall or may belong. The Ambassadors Extraordinary and Plenipotentiaries of his Britannic Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States General of the United Provinces, having concluded

concluded and signed, in this city of Aix-la-Chapelle, the 18th of the present month of October, upon the foundation of the preliminaries, at first agreed upon and concluded amongst them the 30th day of April of this year, a general and definitive treaty of peace, and two separate articles, the tenor of which treaty and separate articles follows.

[*Fiat Inscriptio.*]

And the said Ambassadors Extraordinary and Plenipotentiaries having amicably invited the Minister Plenipotentiary of his most Serene Highness, Francis the Third, by the grace of God, Duke of Modena, Reggio, Mirandola, &c. to accede thereto, in the name of his most Serene Highness;

The under-written Ambassadors and Minister Plenipotentiary, to wit, on the part of the most Serene and most Potent Prince George the Second, by the grace of God King of Great Britain, France, and Ireland, the Lords, John Earl of Sandwich, Viscount of Hinchinbrooke, Baron Montagu of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords Regents of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Thomas Robinson, Knight of the most honourable Order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia: and on the part of his most Serene Highness the Duke of Modena, the Sieur Count de Monzone, his Counsellor of State, and Colonel in his service, and his Minister Plenipotentiary to his most Christian Majesty; by virtue of their full powers, which they have communicated to each other, and of which copies are added at the end of the present act, have agreed on what follows.

That his most Serene Highness the Duke of Modena, desiring to contribute and concur to re-establish and settle, as soon as possible, the peace of Europe,  
accedes,

accedes, by virtue of the present act, to the said treaty and two separate articles, without any reserve or exception, in a firm confidence, that what is promised to his said most Serene Highness therein, shall be faithfully fulfilled; declaring and promising, at the same time, that he will also perform, most faithfully, all the articles, clauses, and conditions, which concern him.

In like manner his Britannic Majesty accepts the present accession of his most Serene Highness the Duke of Modena, and promises likewise to fulfil, without any reserve or exception, all the articles, clauses, and conditions, contained in the said treaty and the two separate articles, inserted above.

The ratifications of the present act shall be exchanged, in this city of Aix-la-Chapelle, in the space of three weeks, to be computed from this day.

In testimony whereof, we the Ambassadors Extraordinary and Minister Plenipotentiary of his Britannic Majesty, and of his most Serene Highness the Duke of Modena, have signed the present act, and have caused the seal of our arms to be set thereto.

Done at Aix-la-Chapelle, the 25th of October, 1748.

(L. S.) *T. Robinson.* (L. S.) *Le Comte de Monzone.*

*The Duke of Modena's Full Power.*

Francis Duke of Modena, Reggio, Mirandola.

WHEREAS, in the conferences to be held at Aix-la-Chapelle, for a general pacification between the Powers concerned in the present war, affairs are to be treated of which regard us; for which it is necessary to have a Minister there, on whose ability, fidelity, and prudence we may safely rely, we have not thought that we could employ any person with greater confidence, on this occasion, than the Count de Monzone,  
our



our Counsellor of State, Minister Plenipotentiary at the court of his most Christian Majesty, and Colonel in our service; for which reason, we do chuse and depute him for our Minister Plenipotentiary at the said Congress, by giving and granting to him faculty, authority, and full power, with general and special order; to treat there, in our name, of all matters which concern us, and to promise, agree to, conclude, stipulate; and sign, on our part, whatever he shall judge most convenient for our service; desiring, for this end, the Ministers Plenipotentiary of all the Courts concerned, which shall be present at the said Congress, to accept of and acknowledge him as our Minister Plenipotentiary; promising, on the faith and word of a Prince, to hold as confirmed and ratified, and to approve and observe all that shall be concluded, accepted of, and stipulated by the same Minister Plenipotentiary.

In witness whereof, we have signed these presents; which shall be countersigned by one of our Ministers, and have our seal affixed thereto. Given at Marseilles, this 30th of November, 1748.

(Signed) FRANCESCO.

(And underneath countersigned)

*De Bondigli.*

*The Republic of Genoa's Accession.*

In the Name of the most Holy and Undivided Trinity, Father, Son, and Holy Ghost.

BE it known to all those to whom it shall or may belong.

The Ambassadors Extraordinary and Plenipotentiaries of his Britannic Majesty, of his most Christian Majesty, and of the High and Mighty Lords the States General of the United Provinces, having concluded and signed, in this city of Aix-la-Chapelle, the 18th of the present month of October, upon the foundation

foundation of the preliminaries, at first agreed upon and settled amongst them the 30th of April of this year, a general and definitive treaty of peace, and two separate articles; of which treaty and separate articles the tenor is as follows.

[*Fiat Inscriptio.*]

And the said Ambassadors Extraordinary and Plenipotentiaries having amicably invited the Minister Plenipotentiary of the most Serene Republic of Genoa to accede thereto, in the name of the said most Serene Republic;

The under-written Ambassadors and Minister Plenipotentiary; to wit, on the part of the most Serene and most Potent Prince, George the Second, by the grace of God, King of Great Britain, France, and Ireland, the Lords, John Earl of Sandwich, Viscount of Hinchinbrooke, Baron Montagu of St. Neots, Peer of England, First Lord Commissioner of the Admiralty, one of the Lords Regents of the kingdom, his Minister Plenipotentiary to the Lords the States General of the United Provinces; and Thomas Robinson, Knight of the most honourable Order of the Bath, and his Minister Plenipotentiary to his Majesty the Emperor of the Romans, and her Majesty the Empress Queen of Hungary and Bohemia: and on the part of the most Serene Republic of Genoa, the Sieur Francis Marquis Doria, by virtue of their full powers, which they have communicated to each other, and copies whereof are added at the end of the present act, have agreed upon what follows.

That the most Serene Republic of Genoa, desiring to contribute and concur to re-establish and settle the quiet of Europe, accedes, by virtue of the present act, to the said treaty and two separate articles, without any reserve or exception, in a firm confidence, that whatsoever is promised therein to the said most Serene Republic, shall be faithfully fulfilled; declaring at the same time, and promising, that she will also perform,

most faithfully, all the articles, clauses, and conditions, which regard her.

In like manner his Britannic Majesty accepts the present accession of the most Serene Republic of Genoa; and likewise promises to perform, without any reserve or exception, all the articles, clauses, and conditions contained in the said treaty, and the two separate articles, inserted above.

The ratifications of the present act shall be exchanged in this city of Aix-la-Chapelle, in the space of twenty-five days, to be computed from this day.

In testimony whereof, we the Ambassadors Extraordinary and Minister Plenipotentiary of his Britannic Majesty, and of the most Serene Republic of Genoa, have signed the present act, and have caused the seal of our arms to be affixed thereto.

Done at Aix-la-Chapelle, the 28th of October 1748.

(L. S.) *T. Robinson.*

(L. S.) *Fr.<sup>ois</sup> M.<sup>ie</sup> Marquis D'Oria.*

*The Republic of Genoa's Full Power.*

The Doge, Governors, and Procurators of the Republic of Genoa.

CONSCIOUS of the experience, fidelity, and zeal of our Patrician Francesco Maria D'Oria, we have chosen and deputed him as our Minister Plenipotentiary at the conferences of peace at Aquisgrano, otherwise Aix-la-Chapelle, or any other place where the said conferences of peace may hereafter be held, or transferred to, and we have given and conferred upon him, as we do give and confer upon him, ample faculty and full power, with general and special order, to treat there in our name, upon the affairs which regard us, and to agree to, conclude, stipulate, and sign, on our part, whatever he shall apprehend to be most suitable to our interests, and that in the same manner as we ourselves, were we present, could do, although a more full and

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and special order than the present might be requisite, desiring, for this end, the Ministers Plenipotentiaries of all the courts concerned, which shall be present at the said conferences, to accept of and acknowledge him as our Minister Plenipotentiary; promising, on the faith and word of a Prince, to hold as confirmed and ratified, and to observe all that shall be concluded, accepted, stipulated, and signed by the same, in virtue of the present full power; as also to dispatch our ratifications in due form, to be exchanged within the time which shall be agreed upon.

In witness whereof, these presents shall be signed by our under-written Secretary of State, with our usual seal affixed thereto.

Given at our royal palace, this 1st of March 1748.

(L. S.) *C. Giuseppe Maria Sertorio,*  
Secretary of State.

[The treaty of PARIS, 1763 is printed from the copy, which was published by authority in 1763.]

*The Definitive Treaty of Peace and Friendship, between his Britannic Majesty, the most Christian King, and the King of Spain; concluded at Paris, the 10th Day of February, 1763. To which the King of Portugal acceded on the same Day.*

In the Name of the most Holy and Undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those to whom it shall or may in any manner belong.

It has pleased the Most High to diffuse the spirit of union and concord among the Princes, whose divisions had spread the troubles in the four parts of the world, and to inspire them with the inclination to cause the comforts of peace to succeed to the misfortunes of a long and bloody war, which, having arisen between

England and France, during the reign of the most Serene and most Potent Prince George the Second, by the grace of God, King of Great Britain, of glorious memory, continued under the reign of the most Serene and most Potent Prince George the Third, his successor, and, in its progress, communicated itself to Spain and Portugal: consequently, the most Serene and most Potent Prince, George the Third, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswic and Lunenburg, Arch-Treasurer and Elector of the Holy Roman Empire; the most Serene and most Potent Prince, Lewis the Fifteenth, by the grace of God, most Christian King; and the most Serene and Most Potent Prince, Charles the Third, by the grace of God, King of Spain and of the Indies, after having laid the foundations of peace in the preliminaries, signed at Fontainebleau the 3d of November last; and the most Serene and most Potent Prince, Don Joseph the First, by the grace of God, King of Portugal and of the Algarves, after having acceded thereto, determined to compleat, without delay, this great and important work. For this purpose, the high contracting parties have named and appointed their respective Ambassadors Extraordinary and Ministers Plenipotentiary, viz. His sacred Majesty the King of Great Britain, the most Illustrious and most Excellent Lord, John Duke and Earl of Bedford, Marquis of Tavistock, &c. his Minister of State, Lieutenant General of his armies, Keeper of his privy seal, Knight of the most noble Order of the Garter, and his Ambassador Extraordinary and Minister Plenipotentiary to his most Christian Majesty; his Sacred Majesty the most Christian King, the most Illustrious and most Excellent Lord Cæsar Gabriel de Choiseul, Duke of Praslin, Peer of France, Knight of his Orders, Lieutenant General of his Armies, and of the province of Brittany, Counsellor in all his Councils, and Minister and Secretary of State, and of his commands and finances; his

his sacred Majesty the Catholic King, the most Illustrious and most Excellent Lord, Dom Jerome Grimaldi, Marquis de Grimaldi, Knight of the most Christian King's Orders, Gentleman of his Catholic Majesty's Bed-chamber in employment, and his Ambassador Extraordinary to his most Christian Majesty; his Sacred Majesty the most Faithful King, the most Illustrious and most Excellent Lord, Martin de Mello and Castro, Knight professed of the Order of Christ, of his most Faithful Majesty's Council, and his Ambassador and Minister Plenipotentiary to his most Christian Majesty.

Who, after having duly communicated to each other their full powers, in good form, copies whereof are transcribed at the end of the present treaty of peace, have agreed upon the articles, the tenor of which is as follows.

I. There shall be a Christian, universal, and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established between their Britannic, most Christian, Catholic, and most Faithful Majesties, and between their heirs and successors, kingdoms, dominions, provinces, countries, subjects, and vassals, of what quality or condition soever they be, without exception of places or of persons: so that the high contracting parties shall give the greatest attention to maintain between themselves and their said dominions and subjects, this reciprocal friendship and correspondence, without permitting, on either side, any kind of hostilities, by sea or by land, to be committed, from henceforth, for any cause, or under any pretence whatsoever, and every thing shall be carefully avoided, which might, hereafter, prejudice the union happily re-established, applying themselves, on the contrary, on every occasion, to procure for each other whatever may contribute to their mutual glory, interests, and advantages, without giving any assistance or protection, directly or indirectly, to those who would cause any prejudice to either of the high contracting parties: there shall be a general oblivion of every thing that

may have been done or committed before, or since, the commencement of the war, which is just ended.

II. The treaties of Westphalia of 1648; those of Madrid, between the crowns of Great Britain and Spain, of 1667 and 1670; the treaties of peace of Nimeguen of 1678 and 1679; of Ryswyck of 1697; those of peace and of commerce of Utrecht of 1713; that of Baden of 1714; the treaty of the triple alliance of the Hague of 1717; that of the quadruple alliance of London of 1718; the treaty of peace of Vienna of 1738; the definitive treaty of Aix-la-Chapelle of 1748; and that of Madrid, between the crowns of Great Britain and Spain, of 1750; as well as the treaties between the crowns of Spain and Portugal, of the 13th of February 1668; of the 6th of February 1715; and of the 12th of February 1761; and that of the 11th of April 1713, between France and Portugal, with the guaranties of Great Britain; serve as a basis and foundation to the peace, and to the present treaty: and for this purpose, they are all renewed and confirmed in the best form, as well as all the treaties in general, which subsisted between the high contracting parties before the war, as if they were inserted here word for word, so that they are to be exactly observed, for the future, in their whole tenor, and religiously executed on all sides, in all their points which shall not be derogated from by the present treaty, notwithstanding all that may have been stipulated to the contrary by any of the high contracting parties: and all the said parties declare, that they will not suffer any privilege, favour, or indulgence, to subsist, contrary to the treaties above confirmed, except what shall have been agreed and stipulated by the present treaty.

III. All the prisoners made, on all sides, as well by land as by sea, and the hostages carried away, or given during the war, and to this day, shall be restored, without ransom, six weeks, at latest, to be computed from the day of the exchange of the ratification of the present

sent treaty, each crown respectively paying the advances, which shall have been made for the subsistence and maintenance of their prisoners, by the Sovereign of the country where they shall have been detained, according to the attested receipts and estimates, and other authentic vouchers, which shall be furnished on one side and the other: and securities shall be reciprocally given for the payment of the debts which the prisoners shall have contracted, in the countries where they have been detained, until their entire liberty. And all the ships of war and merchant vessels, which shall have been taken, since the expiration of the terms agreed upon for the cessation of hostilities by sea, shall be likewise restored *bonâ fide*, with all their crews and cargoes: and the execution of this article shall be proceeded upon immediately after the exchange of the ratifications of this treaty.

IV. His most Christian Majesty renounces all pretensions, which he has heretofore formed, or might form, to Nova Scotia or Acadia, in all its parts, and guaranties the whole of it, and with all its dependencies, to the King of Great Britain: moreover, his most Christian Majesty cedes and guaranties to his said Britannic Majesty, in full right, Canada, with all its dependencies, as well as the Island of Cape Breton, and all the other islands and coasts in the gulph and river St. Laurence, and, in general, every thing that depends on the said countries, lands, islands, and coasts, with the sovereignty, property, possession, and all rights, acquired by treaty or otherwise, which the most Christian King, and the crown of France, have had till now over the said countries, islands, lands, places, coasts, and their inhabitants, so that the most Christian King cedes and makes over the whole to the said King, and to the crown of Great Britain, and that in the most ample manner and form, without restriction, and without any liberty to depart from the said cession and guaranty, under any pretence, or to disturb Great Britain in the possessions above-mentioned. His Britan-



nic Majesty, on his side, agrees to grant the liberty of the Catholic religion to the inhabitants of Canada: he will consequently give the most precise and most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion, according to the rites of the Romish church, as far as the laws of Great Britain permit. His Britannic Majesty further agrees, that the French inhabitants, or others who had been subjects of the most Christian King in Canada, may retire, with all safety and freedom, wherever they shall think proper, and may sell their estates, provided it be to subjects of his Britannic Majesty, and bring away their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts, or of criminal prosecutions: the term limited for this emigration shall be fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty.

V. The subjects of France shall have the liberty of fishing and drying, on a part of the coasts of the Island of Newfoundland, such as it is specified in the XIIIth article of the treaty of Utrecht; which article is renewed and confirmed by the present treaty (except what relates to the island of Cape Breton, as well as to the other islands and coasts in the mouth and in the gulph of St. Laurence:) and his Britannic Majesty consents to leave to the subjects of the most Christian King the liberty of fishing in the gulph St. Laurence, on condition that the subjects of France do not exercise the said fishery but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent, as those of the islands situated in the said gulph St. Laurence. And as to what relates to the fishery on the coasts of the island of Cape Breton out of the said gulph, the subjects of the most Christian King shall not be permitted to exercise the said fishery but at the distance of fifteen leagues from the coasts of the island of Cape Breton; and

and the fishery on the coasts of Nova Scotia or Acadia, and every where else out of the said gulph, shall remain on the foot of former treaties.

VI. The King of Great Britain cedes the islands of St. Pierre and Miquelon, in full right, to his most Christian Majesty, to serve as a shelter to the French fishermen: and his said most Christian Majesty engages not to fortify the said islands; to erect no buildings upon them, but merely for the convenience of the fishery; and to keep upon them a guard of fifty men only for the police.

VII. In order to re-establish peace on solid and durable foundations, and to remove for ever all subject of dispute with regard to the limits of the British and French territories on the continent of America; it is agreed, that, for the future, the confines between the dominions of his Britannic Majesty, and those of his most Christian Majesty, in that part of the world, shall be fixed irrevocably by a line drawn along the middle of the river Mississippi, from its source to the river Iberville, and from thence, by a line drawn along the middle of this river, and the lakes Maurepas and Pontchartrain, to the sea; and for this purpose, the most Christian King cedes in full right, and guaranties to his Britannic Majesty, the river and port of the Mobile, and every thing which he possesses, or ought to possess, on the left side of the river Mississippi, except the town of New Orleans, and the island in which it is situated, which shall remain to France; provided that the navigation of the river Mississippi shall be equally free, as well to the subjects of Great Britain as to those of France, in its whole breadth and length, from its source to the sea, and expressly that part which is between the said island of New Orleans and the right bank of that river, as well as the passage both in and out of its mouth. It is further stipulated, that the vessels belonging to the subjects of either nation shall not be stopped, visited, or subjected to the payment of any

any duty whatsoever. The stipulations, inserted in the IVth article, in favour of the inhabitants of Canada, shall also take place with regard to the inhabitants of the countries ceded by this article.

VIII. The King of Great Britain shall restore to France the islands of Guadeloupe, of Marie Galante, of Desirade, of Martinico, and of Belleisle; and the fortresses of these islands shall be restored in the same condition they were in when they were conquered by the British arms; provided that his Britannic Majesty's subjects, who shall have settled in the said islands, or those who shall have any commercial affairs to settle there, or in the other places restored to France by the present treaty, shall have liberty to sell their lands and their estates, to settle their affairs, to recover their debts, and to bring away their effects, as well as their persons, on board vessels, which they shall be permitted to send to the said islands, and other places restored as above, and which shall serve for this use only, without being restrained on account of their religion, or under any other pretence whatsoever, except that of debts or of criminal prosecutions: and for this purpose, the term of eighteen months is allowed to his Britannic Majesty's subjects, to be computed from the day of the exchange of the ratifications of the present treaty; but, as the liberty, granted to his Britannic Majesty's subjects, to bring away their persons and their effects, in vessels of their nation, may be liable to abuses, if precautions were not taken to prevent them; it has been expressly agreed between his Britannic Majesty and his most Christian Majesty, that the number of English vessels, which shall have leave to go to the said islands and places restored to France, shall be limited, as well as the number of tons of each one; that they shall go in ballast; shall set sail at a fixed time; and shall make one voyage only, all the effects, belonging to the English, being to be embarked at the same time. It has been further agreed, that his most Christian Majesty shall cause the necessary passports to be given to

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the said vessels; that, for the greater security, it shall be allowed to place two French clerks, or guards, in each of the said vessels, which shall be visited in the landing places and ports of the said islands, and places, restored to France, and that the merchandise, which shall be found therein, shall be confiscated.

IX. The most Christian King cedes and guaranties to his Britannic Majesty, in full right, the islands of Grenada, and of the Grenadines, with the same stipulations in favour of the inhabitants of this colony, inserted in the IVth article for those of Canada: and the partition of the islands, called Neutral, is agreed and fixed, so that those of St. Vincent, Dominica, and Tobago, shall remain in full right to Great Britain; and that of St. Lucia shall be delivered to France, to enjoy the same likewise in full right; and the high contracting parties guaranty the partition so stipulated.

X. His Britannic Majesty shall restore to France the island of Gorée, in the condition it was in when conquered: and his most Christian Majesty cedes, in full right, and guaranties to the King of Great Britain, the river Senegal, with the forts and factories of St. Lewis, Podor, and Galam; and with all the rights and dependencies of the said river Senegal.

XI. In the East Indies, Great Britain shall restore to France, in the condition they are now in, the different factories, which that crown possessed, as well on the coast of Coromandel and Orixá, as on that of Malabar, as also in Bengal, at the beginning of the year 1749. And his most Christian Majesty renounces all pretension to the acquisitions which he had made on the coast of Coromandel and Orixá, since the said beginning of the year 1749. His most Christian Majesty shall restore, on his side, all that he may have conquered from Great Britain, in the East Indies, during the present war; and will expressly cause Nattal and Tapanouly, in the island of Sumatra, to be restored; he engages further, not to erect fortifications, or to  
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keep troops in any part of the dominions of the subah of Bengal. And in order to preserve future peace on the coast of Coromandel and Orixá, the English and French shall acknowledge Mahomet Ally Khan for lawful nabob of the Carnatic, and Salabat Jing for lawful subah of the Decan; and both parties shall renounce all demands and pretensions of satisfaction, with which they might charge each other, or their Indian allies, for the depredations or pillage committed, on the one side or on the other, during the war.

XII. The island of Minorca shall be restored to his Britannic Majesty, as well as Fort St. Philip, in the same condition they were in when conquered by the arms of the most Christian King; and with the artillery which was there when the said island and the said fort were taken.

XIII. The town and port of Dunkirk shall be put into the state fixed by the last treaty of Aix-la-Chapelle, and by former treaties. The Cunette shall be destroyed immediately after the exchange of the ratifications of the present treaty, as well as the forts and batteries which defend the entrance on the side of the sea; and provision shall be made, at the same time, for the wholesomeness of the air, and for the health of the inhabitants, by some other means, to the satisfaction of the King of Great Britain.

XIV. France shall restore all the countries belonging to the electorate of Hanover, to the Landgrave of Hesse, to the Duke of Brunswic, and to the Count of La Lippe Buckebourg, which are or shall be occupied by his most Christian Majesty's arms: the fortresses of these different countries shall be restored in the same condition they were in when conquered by the French arms; and the pieces of artillery, which shall have been carried elsewhere, shall be replaced by the same number, of the same bore, weight, and metal.

XV. In

XV. In case the stipulations, contained in the XIIIth article of the preliminaries, should not be completed at the time of the signature of the present treaty, as well with regard to the evacuations to be made by the armies of France of the fortresses of Cleves, Wesel, Guelders, and of all the countries belonging to the King of Prussia, as with regard to the evacuations to be made by the British and French armies of the countries which they occupy in Westphalia, Lower Saxony, on the Lower Rhine, the Upper Rhine, and in all the empire, and to the retreat of the troops into the dominions of their respective sovereigns; their Britannic and most Christian Majesties promise to proceed, *bonâ fide*, with all the dispatch the case will permit of, to the said evacuations, the entire completion whereof they stipulate before the 15th of March next, or sooner if it can be done; and their Britannic and most Christian Majesties further engage, and promise to each other, not to furnish any succours, of any kind, to their respective allies, who shall continue engaged in the war in Germany.

XVI. The decision of the prizes made, in time of peace, by the subjects of Great Britain, on the Spaniards, shall be referred to the courts of justice of the admiralty of Great Britain, conformably to the rules established among all nations, so that the validity of the said prizes, between the British and Spanish nations, shall be decided and judged, according to the law of nations, and according to treaties, in the courts of justice of the nation who shall have made the capture.

XVII. His Britannic Majesty shall cause to be demolished all the fortifications which his subjects shall have erected in the Bay of Honduras, and other places of the territory of Spain in that part of the world, four months after the ratification of the present treaty: and his Catholic Majesty shall not permit his Britannic Majesty's subjects, or their workmen, to be disturbed

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or molested, under any pretence whatsoever, in the said places, in their occupation of cutting, loading, and carrying away logwood: and for this purpose, they may build without hinderance, and occupy without interruption, the houses and magazines which are necessary for them, for their families, and for their effects: and his Catholic Majesty assures to them, by this article, the full enjoyment of those advantages, and powers, on the Spanish coasts and territories, as above stipulated, immediately after the ratification of the present treaty.

XVIII. His Catholic Majesty desists, as well for himself, as for his successors, from all pretension, which he may have formed, in favour of the Guipuscoans, and other his subjects, to the right of fishing in the neighbourhood of the island of Newfoundland.

XIX. The King of Great Britain shall restore to Spain all the territory which he has conquered in the island of Cuba, with the fortress of the Havana, and this fortress, as well as all the other fortresses of the said island, shall be restored in the same condition they were in when conquered by his Britannic Majesty's arms; provided, that his Britannic Majesty's subjects, who shall have settled in the said island, restored to Spain by the present treaty, or those who shall have any commercial affairs to settle there, shall have liberty to sell their lands, and their estates, to settle their affairs, to recover their debts, and to bring away their effects, as well as their persons, on board vessels which they shall be permitted to send to the said island restored as above, and which shall serve for that use only, without being restrained on account of their religion, or under any other pretence whatsoever, except that of debts, or of criminal prosecutions: and for this purpose, the term of eighteen months is allowed to his Britannic Majesty's subjects, to be computed from the day of the exchange of the ratifications of the present treaty: but as the liberty, granted to his Britannic Majesty's subjects, to bring away their persons, and their effects, in  
vessels

vessels of their nation, may be liable to abuses, if precautions were not taken to prevent them; it has been expressly agreed, between his Britannic Majesty and his Catholic Majesty, that the number of English vessels, which shall have leave to go to the said island restored to Spain, shall be limited, as well as the number of tons of each one; that they shall go in ballast; shall set sail at a fixed time; and shall make one voyage only; all the effects belonging to the English being to be embarked at the same time: it has been further agreed, that his Catholic Majesty shall cause the necessary passports to be given to the said vessels; that, for the greater security, it shall be allowed to place two Spanish clerks, or guards, in each of the said vessels, which shall be visited in the landing-places and ports of the said island restored to Spain, and that the merchandize, which shall be found therein, shall be confiscated.

XX. In consequence of the restitution stipulated in the preceding article, his Catholic Majesty cedes and guaranties, in full right, to his Britannic Majesty, Florida, with Fort St. Augustin, and the Bay of Pensacola, as well as all that Spain possesses on the continent of North America, to the east, or to the south-east, of the river Mississippi; and, in general, every thing that depends on the said countries, and lands, with the sovereignty, property, possession, and all rights, acquired by treaties or otherwise, which the Catholic King, and the crown of Spain, have had, till now, over the said countries, lands, places, and their inhabitants; so that the Catholic King cedes and makes over the whole to the said King, and to the crown of Great Britain, and that in the most ample manner and form. His Britannic Majesty agrees, on his side, to grant to the inhabitants of the countries, above ceded, the liberty of the Catholic religion: he will consequently give the most express and the most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion, according to the rites of the Romish church,



church, as far as the laws of Great Britain permit: his Britannic Majesty further agrees, that the Spanish inhabitants, or others, who had been subjects of the Catholic King in the said countries, may retire, with all safety and freedom, wherever they think proper; and may sell their estates, provided it be to his Britannic Majesty's subjects, and bring away their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts, or of criminal prosecutions: the term limited for this emigration being fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty. It is moreover stipulated, that his Catholic Majesty shall have power to cause all the effects, that may belong to him, to be brought away, whether it be artillery or other things.

XXI. The French and Spanish troops shall evacuate all the territories, lands, towns, places, and castles, of his most Faithful Majesty, in Europe, without any reserve, which shall have been conquered by the armies of France and Spain, and shall restore them in the same condition they were in when conquered, with the same artillery and ammunition which were found there: and, with regard to the Portuguese colonies in America, Africa, or in the East Indies, if any change shall have happened there, all things shall be restored on the same footing they were in, and conformably to the preceding treaties which subsisted between the courts of France, Spain, and Portugal, before the present war.

XXII. All the papers, letters, documents, and archives, which were found in the countries, territories, towns, and places, that are restored, and those belonging to the countries ceded, shall be respectively and *bonâ fide* delivered, or furnished, at the same time, if possible, that possession is taken, or, at latest, four months after the exchange of the ratifications of the present

present treaty, in whatever places the said papers or documents may be found.

XXIII. All the countries and territories, which may have been conquered, in whatsoever part of the world, by the arms of their Britannic and most Faithful Majesties, as well as by those of their most Christian and Catholic Majesties, which are not included in the present treaty, either under the title of Cessions, or under the title of Restitutions, shall be restored without difficulty, and without requiring any compensation.

XXIV. As it is necessary to assign a fixed epoch for the restitutions, and the evacuations, to be made by each of the high contracting parties; it is agreed, that the British and French troops shall compleat, before the 15th of March next, all that shall remain to be executed of the XIIth and XIIIth articles of the preliminaries, signed the 3d day of November last, with regard to the evacuation to be made in the empire, or elsewhere. The island of Belleisle shall be evacuated six weeks after the exchange of the ratifications of the present treaty, or sooner if it can be done; Guadeloupe, Desirade, Marie Galante, Martinico, and St. Lucia, three months after the exchange of the ratifications of the present treaty, or sooner if it can be done. Great Britain shall likewise, at the end of three months after the exchange of the ratifications of the present treaty, or sooner if it can be done, enter into possession of the river and port of the Mobile, and of all that is to form the limits of the territory of Great Britain, on the side of the river Mississipi, as they are specified in the VIIth article. The island of Gorée shall be evacuated by Great Britain, three months after the exchange of the ratifications of the present treaty; and the island of Minorca, by France, at the same epoch, or sooner if it can be done: and according to the conditions of the VIth article, France shall likewise enter into possession of the islands of St. Peter, and of Miquelon, at the end of three months af-

ter the exchange of the ratifications of the present treaty. The factories in the East Indies shall be restored six months after the exchange of the ratifications of the present treaty, or sooner if it can be done. The fortrefs of the Havana, with all that has been conquered in the island of Cuba, shall be restored three months after the exchange of the ratifications of the present treaty, or sooner if it can be done: and, at the same time, Great Britain shall enter into possession of the country ceded by Spain, according to the XXth article. All the places and countries of his most Faithful Majesty, in Europe, shall be restored immediately after the exchange of the ratifications of the present treaty; and the Portuguese colonies, which may have been conquered, shall be restored in the space of three months in the West Indies, and of six months in the East Indies, after the exchange of the ratifications of the present treaty, or sooner if it can be done. All the fortresses, the restitution whereof is stipulated above, shall be restored with the artillery and ammunition which were found there at the time of the conquest. - In consequence whereof, the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships that shall carry them, immediately after the exchange of the ratifications of the present treaty.

XXV. His Britannic Majesty, as Elector of Brunswick Lunenburg, as well for himself, as for his heirs and successors, and all the dominions and possessions of his said Majesty in Germany, are included and guaranteed by the present treaty of peace.

XXVI. Their Sacred Britannic, most Christian, Catholic, and most Faithful Majesties, promise to observe, sincerely and *bond fide*, all the articles contained and settled in the present treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective subjects; and the said high contracting parties, generally and reciprocally, guaranty

ranty to each other all the stipulations of the present treaty.

XXVII. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged in this city of Paris, between the high contracting parties, in the space of a month, or sooner if possible, to be computed from the day of the signature of the present treaty.

In witness whereof, we the underwritten, their Ambassadors Extraordinary, and Ministers Plenipotentiary, have signed with our hand, in their name, and in virtue of our full powers, the present definitive treaty, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

<i>Bedford, C. P. S.</i>	<i>Choiseul, Duc</i>	<i>El Marq<sup>e</sup> de</i>
(L. S.)	<i>de Praslin.</i>	<i>Grimaldi.</i>
	(L. S.)	(L. S.)

*Separate Articles.*

I. SOME of the titles made use of by the contracting Powers, either in the full powers, and other acts, during the course of the negotiation, or in the preamble of the present treaty, not being generally acknowledged; it has been agreed, that no prejudice shall ever result therefrom to any of the said contracting parties, and that the titles, taken or omitted, on either side, on occasion of the said negotiation, and of the present treaty, shall not be cited, or quoted as a precedent.

II. It has been agreed and determined, that the French language, made use of in all the copies of the present treaty, shall not become an example, which may be alledged or made a precedent of, or prejudice, in any manner, any of the contracting Powers; and that they shall conform themselves, for the future, to what has been observed, and ought to be

observed, with regard to and on the part of Powers, who are used, and have a right, to give and to receive copies of like treaties in another language than French; the present treaty having still the same force and effect as if the aforesaid custom had been therein observed.

III. Though the King of Portugal has not signed the present definitive treaty, their Britannic, most Christian, and Catholic Majesties, acknowledge, nevertheless, that his most Faithful Majesty is formally included therein as a contracting party, and as if he had expressly signed the said treaty: consequently, their Britannic, most Christian, and Catholic Majesties, respectively and conjointly, promise to his most Faithful Majesty, in the most express and most binding manner, the execution of all and every the clauses contained in the said treaty, on his act of accession.

The present separate articles shall have the same force as if they were inserted in the treaty.

In witness whereof, we the under-written Ambassadors Extraordinary and Ministers Plenipotentiary of their Britannic, most Christian, and Catholic Majesties, have signed the present separate articles, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

<i>Bedford, C. P. S.</i>	<i>Choiseul, Duc</i>	<i>El Marq' de</i>
(L. S.)	<i>de Praslin.</i>	<i>Grimaldi.</i>
	(L. S.)	(L. S.)

*His Britannic Majesty's Full Power.*

GEORGE R.

GEORGE the Third, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, Duke of Brunswic and Lunenburg, Arch-treasurer and Prince Elector of the Holy Roman Empire, &c.; to all and singular to whom these presents

sents shall come, greeting. Whereas, in order to perfect the peace between us and our good brother the most Faithful King, on the one part, and our good brothers the most Christian and Catholic Kings, on the other, which has been happily begun by the preliminary articles already signed at Fontainebleau the 3d of this month, and to bring the same to the desired end, we have thought proper to invest some fit person with full authority, on our part; Know ye, that we, having most entire confidence in the fidelity, judgment, skill, and ability, in managing affairs of the greatest consequence, of our right trusty and right entirely beloved cousin and counsellor, John Duke and Earl of Bedford, Marquis of Tavistock, Baron Ruffel of Cheney, Baron Ruffel of Thornhaugh, and Baron Howland of Streatham, Lieutenant General of our forces, Keeper of our Privy Seal, Lieutenant and Custos Rotulorum of the counties of Bedford and Devon, Knight of our most noble Order of the Garter, and our Ambassador Extraordinary and Plenipotentiary to our good brother the most Christian King, have nominated, made, constituted, and appointed, as by these presents we do nominate, make, constitute, and appoint him our true, certain, and undoubted Minister, Commissary, Deputy, Procurator, and Plenipotentiary, giving to him all and all manner of power, faculty, and authority, as well as our general and special command (yet so as that the general do not derogate from the special, or on the contrary) for us and in our name to meet and confer, as well singly and separately, as jointly and in a body, with the Ambassadors, Commissaries, Deputies, and Plenipotentiaries of the Princes whom it may concern, vested with sufficient power and authority for that purpose, and with them to agree upon, treat, consult, and conclude concerning the re-establishing, as soon as may be, a firm and lasting peace, and sincere friendship and concord; and whatever shall be so agreed and concluded, for us and in our name to sign, and to

make a treaty or treaties on what shall have been so agreed and concluded, and to transact every thing else that may belong to the happy completion of the aforesaid work, in as ample a manner and form, and with the same force and effect, as we ourselves, if we were present, could do and perform; engaging and promising, on our Royal word, that we will approve, ratify, and accept, in the best manner, whatever shall happen to be transacted and concluded by our said Plenipotentiary, and that we will never suffer any person to infringe or act contrary to the same, either in the whole or in part. In witness and confirmation whereof, we have caused our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our palace at St. James's, the 12th day of November, 1762, in the third year of our reign.

*His most Christian Majesty's Full Power.*

LEWIS, by the grace of God, King of France and Navarre, to all who shall see these presents, greeting. Whereas the preliminaries, signed at Fontainebleau the 3d of November of the last year, laid the foundation of the peace re-established between us and our most dear and most beloved good brother and cousin the King of Spain, on the one part, and our most dear and most beloved good brother the King of Great Britain, and our most dear and most beloved good brother and cousin the King of Portugal, on the other, we have had nothing more at heart, since that happy epoch, than to consolidate and strengthen, in the most lasting manner, so salutary and so important a work, by a solemn and definitive treaty between us and the said Powers. For these causes, and other good considerations us thereunto moving, we trusting entirely in the capacity and experience, zeal and fidelity for our service, of our most dear and well-beloved cousin, Cæsar Gabriel de Choiseul, Duke of Praslin, Peer of France, Knight of our Orders, Lieutenant General

General of our forces, and of the province of Britany, Counsellor in all our Councils, Minister and Secretary of State, and of our Commands and Finances, we have named, appointed, and deputed him, and by these presents, signed with our hand, do name, appoint, and depute him, our Minister Plenipotentiary, giving him full and absolute power to act in that quality, and to confer, negotiate, treat, and agree, jointly with the Minister Plenipotentiary of our most dear and most beloved good brother the King of Great Britain, the Minister Plenipotentiary of our most dear and most beloved good brother and cousin the King of Spain, and the Minister Plenipotentiary of our most dear and most beloved good brother and cousin the King of Portugal, vested with full powers, in good form, to agree, conclude, and sign, such articles, conditions, conventions, declarations, definitive treaty, accessions, and other acts whatsoever, that he shall judge proper for securing and strengthening the great work of peace, the whole with the same latitude and authority that we ourselves might do, if we were there in person, even though there should be something which might require a more special order than what is contained in these presents; promising, on the faith and word of a King, to approve, keep firm and stable for ever, to fulfil and execute punctually, all that our said cousin, the Duke of Praslin, shall have stipulated, promised, and signed, in virtue of the present full power, without ever acting contrary thereto, or permitting any thing contrary thereto, for any cause, or under any pretence whatsoever; as also to cause our letters of ratification to be expedited in good form, and to cause them to be delivered, in order to be exchanged within the time that shall be agreed upon. For such is our pleasure. In witness whereof, we have caused our seal to be put to these presents. - Given at Versailles, the 7th day of the month of February, in the year of grace 1763, and of our reign the forty-eighth. Signed LEWIS; and on the fold, By the King, The



Duke of *Choiseul*. Sealed with the great seal of yellow wax.

*His Catholic Majesty's Full Power.*

DON CARLOS, by the grace of God, King of Castille, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Cordova, of Corfica, of Murcia, of Jaen, of the Algarves, of Algecira, of Gibraltar, of the Canary Islands, of the East and West Indies, islands and continent, of the Ocean; Archduke of Austria; Duke of Burgundy, of Brabant, and Milan; Count of Hapsburg, of Flanders, of Tirol and Barcelona; Lord of Biscay, and of Molino, &c. Whereas preliminaries of a solid and lasting peace, between this crown and that of France on the one part, and that of England and Portugal on the other, were concluded and signed in the Royal residence of Fontainebleau, the 3d of November of the present year, and the respective ratifications thereof exchanged on the 22d of the same month, by Ministers authorized for that purpose, wherein it is promised, that a definitive treaty should be forthwith entered upon, having established and regulated the chief points upon which it is to turn: and whereas in the same manner as I granted to you, Don Jerome Grimaldi, Marquis de Grimaldi, Knight of the Order of the Holy Ghost, Gentleman of my Bed-chamber with employment, and my Ambassador Extraordinary to the most Christian King, my full power to treat, adjust, and sign the before-mentioned preliminaries, it is necessary to grant the same to you, or to some other, to treat, adjust, and sign the promised definitive treaty of peace as aforesaid; therefore, as you the said Don Jerome Grimaldi, Marquis de Grimaldi, are at the convenient place, and as I have every day fresh motives, from your approved fidelity and zeal, capacity and prudence, to entrust to you this and other like concerns of my  
crown,

crown, I have appointed you my Minister Plenipotentiary, and granted to you my full power, to the end that, in my name, and representing my person, you may treat, regulate, settle, and sign the said definitive treaty of peace, between my crown and that of France on the one part, that of England and that of Portugal on the other, with the Ministers who shall be equally and specially authorized by their respective Sovereigns for the same purpose; acknowledging, as I do from this time acknowledge, as accepted and ratified, whatever you shall so treat, conclude, and sign; promising, on my Royal word, that I will observe and fulfil the same, will cause it to be observed and fulfilled, as if it had been treated, concluded, and signed by myself. In witness whereof, I have caused these presents to be dispatched, signed by my hand, sealed with my privy seal, and countersigned by my underwritten Counsellor of State, and First Secretary for the department of State and of War. Buen Retiro, the tenth of December, 1762.

(Signed)

(And lower)

*I the KING.**Richard Wall.*

*Declaration of his most Christian Majesty's Plenipotentiary, with regard to the Debts due to the Canadians.*

THE King of Great Britain having desired, that the payment of the letters of exchange and bills, which had been delivered to the Canadians for the necessaries furnished to the French troops, should be secured, his most Christian Majesty, entirely disposed to render to every one that justice which is legally due to them, has declared, and does declare, that the said bills, and letters of exchange, shall be punctually paid, agreeably to a liquidation made in a convenient time, according to the distance of the places, and to what shall be possible, taking care, however, that the bills and letters of exchange, which the French subjects may

may have at the time of this declaration, be not confounded with the bills and letters of exchange which are in the possession of the new subjects of the King of Great Britain.

In witness whereof, we the under-written Minister of his most Christian Majesty, duly authorized for this purpose, have signed the present declaration, and caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

*Choiseul, Duc de Praslin. (L. S.)*

*Declaration of his Britannic Majesty's Ambassador Extraordinary and Plenipotentiary, with regard to the Limits of Bengal, in the East Indies.*

WE the under-written Ambassador Extraordinary and Plenipotentiary of the King of Great Britain, in order to prevent all subject of dispute on account of the limits of the dominions of the Subah of Bengal, as well as of the coast of Coromandel and Orixá, declare, in the name and by order of his said Britannic Majesty, that the said dominions of the Subah of Bengal shall be reputed not to extend farther than Yanaon exclusively, and that Yanaon shall be considered as included in the north part of the coast of Coromandel or Orixá.

In witness whereof, we the under-written Minister Plenipotentiary of his Majesty the King of Great Britain, have signed the present declaration, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

*Bedford, C. P. S. (L. S.)*

*Accession of his most Faithful Majesty.*

In the Name of the most Holy and Undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those to whom it shall or may belong; the Ambassadors and Plenipotentiaries of his  
 Britannic

Britannic Majesty, of his most Christian Majesty, and of his Catholic Majesty, having concluded and signed at Paris, the 10th of February of this year, a definitive treaty of peace, and separate articles, the tenor of which is as follows.

[ *Fiat Infertio.* ]

And the said Ambassadors and Plenipotentiaries having, in a friendly manner, invited the Ambassador and Minister Plenipotentiary of his most Faithful Majesty to accede thereto, in the name of his said Majesty; the under-written Ministers Plenipotentiary, viz. on the part of the most Serene and most Potent Prince George the Third, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswic and Lunenburg, Arch-treasurer and Elector of the Holy Roman Empire, the most Illustrious and most Excellent Lord, John Duke and Earl of Bedford, Marquis of Tavistock, &c. Minister of State of the King of Great Britain, Lieutenant General of his forces, Keeper of his Privy Seal, Knight of the most Noble Order of the Garter, and his Ambassador Extraordinary and Plenipotentiary to his most Christian Majesty; and on the part of the most Serene and most Potent Prince Don Joseph the First, by the grace of God, King of Portugal and of the Algarves, the most Illustrious and most Excellent Lord, Martin de Mello and Castro, Knight professed of the Order of Christ, of his most Faithful Majesty's Council, and his Ambassador and Minister Plenipotentiary to his most Christian Majesty, in virtue of their full powers, which they have communicated to each other, and of which copies shall be added at the end of the present act, have agreed upon what follows, viz. His most Faithful Majesty desiring most sincerely to concur in the speedy re-establishment of peace, accedes, in virtue of the present act, to the said definitive treaty and separate articles, as they are above transcribed, without any reserve or exception, in the firm confidence

dence that every thing that is promised to his said Majesty, will be *bonâ fide* fulfilled; declaring at the same time, and promising to fulfil, with equal fidelity, all the articles, clauses, and conditions, which concern him: On his side, his Britannic Majesty accepts the present accession of his most Faithful Majesty, and promises likewise to fulfil, without any reserve or exception, all the articles, clauses, and conditions, contained in the said definitive treaty and separate articles above inserted. The ratifications of the present treaty shall be exchanged in the space of one month, to be computed from this day, or sooner if it can be done.

In witness whereof, we, Ambassadors and Ministers Plenipotentiary of his Britannic Majesty, and of his most Faithful Majesty, have signed the present act, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

*Bedford, C. P. S. (L. S.) De Mello et Castro. (L. S.)*

*His most Faithful Majesty's Full Power.*

DON JOSEPH, by the grace of God, King of Portugal, and of the Algarves, on this side the sea, and on that side in Africa, Lord of Guinea, and of the conquest, navigation, commerce of Ethiopia, Arabia, Persia, and India, &c. I make known to those who shall see these my letters patent, that, desiring nothing more than to see the flame of war, which has raged so many years in all Europe, extinguished, and to co-operate (as far as depends upon me) towards its being succeeded by a just peace, established upon solid principles: and being informed, that great part of the belligerent Powers entertain the same pacific dispositions, I am to nominate a person, to assist, in my name, at the assemblies and conferences to be held upon this important business, who, by his nobility, prudence,

prudence, and dexterity, is worthy of my confidence : whereas these several qualities concur in Martin de Mello de Castro, of my Council, and my Envoy Extraordinary and Plenipotentiary to the court of London ; and as from the experience I have, that he has always served me to my satisfaction, in every thing I have charged him with, relying, that I shall, from henceforward, have fresh cause for the confidence I have placed in him, I nominate and constitute him my Ambassador and Plenipotentiary, in order that he may, as such, assist, in my name, at any congresses, assemblies, or conferences, as well public as private, in which the business of pacification may be treated : negotiating and agreeing with the Ambassadors and Plenipotentiaries of the said belligerent Powers, whatever may relate to the said peace ; and concluding what he shall negotiate between me and any belligerent Kings and Princes, under the conditions he shall stipulate in my Royal name : therefore, for the above purposes, I grant him all the full powers and authority, general and special, which may be necessary ; and I promise, upon the faith and word of a King, that I will acknowledge to be firm and valid, and will ratify within the time agreed upon, whatever shall be contracted and stipulated by my said Ambassador and Plenipotentiary, with the aforesaid Ambassadors and Ministers of the belligerent Kings and Princes, who shall be furnished by them with equal powers. In witness whereof, I have ordered these presents to be made out, signed by myself, sealed with the seal of my arms thereunto affixed, and countersigned by my Secretary and Minister of State for foreign Affairs and War. Given at the palace of our Lady of Ajuda, the eighteenth day of September, of the year from the birth of our Lord Jesus Christ 1762.

Locus  
Sigilli  
pendentis.

*The KING.*  
*Don Lewis da Cunha.*

Letters

Letters patent whereby your Majesty is pleased to nominate Martin de Mello de Castro to be your Ambassador and Plenipotentiary for the negotiation and conclusion of peace, in the form above set forth.

For your Majesty's inspection.

*Declaration of his most Faithful Majesty's Ambassador and Minister Plenipotentiary, with regard to Alter-  
nating with Great Britain and France.*

WHEREAS, on the conclusion of the negotiation of the definitive treaty, signed at Paris this 10th day of February, a difficulty arose as to the order of signing, which might have retarded the conclusion of the said treaty, we the under-written, Ambassador and Minister Plenipotentiary of his most Faithful Majesty, declare, that the alternative observed, on the part of the King of Great Britain, and the most Christian King, with the most Faithful King, in the act of accession of the court of Portugal, was granted, by their Britannic and most Christian Majesties, solely with a view to accelerate the conclusion of the definitive treaty, and by that means the more speedily to consolidate so important and so salutary a work ; and that this complaisance of their Britannic and most Christian Majesties shall not be made any precedent of for the future ; the court of Portugal shall not alledge it as an example in their favour ; shall derive therefrom no right, title, or pretension, for any cause, or under any pretence whatsoever.

In witness whereof, we, Ambassador and Minister Plenipotentiary of his most Faithful Majesty, duly authorized for this purpose, have signed the present declaration, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

*Martin de Mello et Castro. (L. S.)*

[The treaty of VERSAILLES, 1783, is printed from the copy which was published by authority, in 1783.]

*The Definitive Treaty of Peace and Friendship, between his Britannic Majesty, and the most Christian King; signed at Versailles, the 3d of September, 1783.*

In the name of the most Holy and Undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those whom it shall or may in any manner concern. The most Serene and most Potent Prince, George the Third, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunfwic and Lunenburg, Arch-treasurer and Elector of the Holy Roman Empire, &c. and the most Serene and most Potent Prince, Lewis the Sixteenth, by the grace of God, most Christian King, being equally desirous to put an end to the war which for several years past afflicted their respective dominions, accepted the offer which their Majesties the Emperor of the Romans, and the Empress of all the Russias, made to them of their interposition, and of their mediation: but their Britannic and most Christian Majesties, animated with a mutual desire of accelerating the re-establishment of peace, communicated to each other their laudable intention; which Heaven so far blessed, that they proceeded to lay the foundations of peace, by signing preliminary articles at Versailles, the 20th of January, in the present year. Their said Majesties the King of Great Britain, and the most Christian King, thinking it incumbent upon them to give their Imperial Majesties a signal proof of their gratitude for the generous offer of their mediation, invited them, in concert, to concur in the completion of the great and salutary work of peace, by taking part, as mediators, in the definitive treaty to be concluded between their Britannic and most Christian Majesties. Their said Imperial Majesties having readily accepted that invitation, they have named as their representatives, viz:

His



His Majesty the Emperor of the Romans, the most illustrious and most excellent Lord Florimond, Count Mercy-Argenteau, Viscount of Loo, Baron of Crich-egnée, Knight of the Golden Fleece, Chamberlain, actual Privy Counsellor of State to his Imperial and Royal Apostolic Majesty, and his Ambassador to his most Christian Majesty; and her Majesty the Empress of all the Russias, the most illustrious and most excellent Lord, Prince Iwan Bariatinskoy, Lieutenant General of the forces of her Imperial Majesty of all the Russias, Knight of the Orders of St. Anne, and of the Swedish Sword, and her Minister Plenipotentiary to his most Christian Majesty, and the Lord Arcadi de Marcoff, Counsellor of State to her Imperial Majesty of all the Russias, and her Minister Plenipotentiary to his most Christian Majesty. In consequence, their said Majesties the King of Great Britain, and the most Christian King, have named and constituted for their Plenipotentiaries, charged with the concluding and signing of the definitive treaty of peace, *viz.* the King of Great Britain, the most illustrious and most excellent Lord, George Duke and Earl of Manchester, Viscount Mandeville, Baron of Kimbolton, Lord-Lieutenant and Custos Rotulorum of the county of Huntingdon, actual Privy Counsellor to his Britannic Majesty, and his Ambassador Extraordinary and Plenipotentiary to his most Christian Majesty; and the most Christian King, the most illustrious and most excellent Lord, Charles Gravier, Count de Vergennes, Baron of Welferding, &c. the King's Counsellor in all his Councils, Commander in his Orders, President of the Royal Council of Finances, Counsellor of State Military, Minister and Secretary of State, and of his Commands and Finances: who, after having exchanged their respective full powers, have agreed upon the following articles:

I. There shall be a Christian, universal, and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established between their

their Britannic and most Christian Majesties, and between their heirs and successors, kingdoms, dominions, provinces, countries, subjects, and vassals, of what quality or condition soever they be, without exception either of places or persons; so that the high contracting parties shall give the greatest attention to the maintaining between themselves, and their said dominions and subjects, this reciprocal friendship and intercourse, without permitting hereafter, on either part, any kind of hostilities to be committed, either by sea or by land, for any cause, or under any pretence whatsoever; and they shall carefully avoid, for the future, every thing which might prejudice the union happily re-established, endeavouring, on the contrary, to procure reciprocally for each other, on every occasion, whatever may contribute to their mutual glory, interests, and advantage, without giving any assistance or protection, directly or indirectly, to those who would do any injury to either of the high contracting parties. There shall be a general oblivion and amnesty of every thing which may have been done or committed before or since the commencement of the war which is just ended.

II. The treaties of Westphalia of 1648; the treaties of peace of Nimeguen of 1678 and 1679; of Ryswick of 1697; those of peace and of commerce of Utrecht of 1713; that of Baden of 1714; that of the triple alliance of the Hague of 1717; that of the quadruple alliance of London of 1718; the treaty of peace of Vienna of 1738; the definitive treaty of Aix-la-Chapelle of 1748; and that of Paris of 1763, serve as a basis and foundation to the peace, and to the present treaty; and, for this purpose, they are all renewed and confirmed in the best form, as well as all the treaties in general which subsisted between the high contracting parties before the war, as if they were herein inserted word for word; so that they are to be exactly observed for the future in their full tenor, and religiously executed by both parties, in all the points

which shall not be derogated from by the present treaty of peace.

III. All the prisoners taken on either side, as well by land as by sea, and the hostages carried away or given during the war, and to this day, shall be restored, without ransom, in six weeks at latest, to be computed from the day of the exchange of the ratifications of the present treaty; each crown respectively discharging the advances which shall have been made for the subsistence and maintenance of their prisoners by the Sovereign of the country where they shall have been detained, according to the receipts and attested accounts, and other authentic vouchers, which shall be furnished on each side: and sureties shall be reciprocally given for the payment of the debts which the prisoners may have contracted in the countries where they may have been detained, until their entire release. And all ships, as well men of war as merchant-ships, which may have been taken since the expiration of the terms agreed upon for the cessation of hostilities by sea, shall likewise be restored, *bonâ fide*, with all their crews and cargoes. And the execution of this article shall be proceeded upon immediately after the exchange of the ratifications of this treaty.

IV. His Majesty the King of Great Britain is maintained in his right to the island of Newfoundland, and to the adjacent islands, as the whole were assured to him by the thirteenth article of the treaty of Utrecht; excepting the islands of St. Pierre and Miquelon, which are ceded in full right, by the present treaty, to his most Christian Majesty.

V. His Majesty the most Christian King, in order to prevent the quarrels which have hitherto arisen between the two nations of England and France, contents to renounce the right of fishing, which belongs to him in virtue of the aforesaid article of the treaty of Utrecht, from Cape Bonavista to Cape St. John, situated on the eastern coast of Newfoundland, in fifty degrees

degrees north latitude; and his Majesty the King of Great Britain consents on his part, that the fishery assigned to the subjects of his most Christian Majesty, beginning at the said Cape St. John, passing to the north, and descending by the western coast of the island of Newfoundland, shall extend to the place called Capé Raye, situated in forty-seven degrees fifty minutes latitude. The French fishermen shall enjoy the fishery which is assigned to them by the present article, as they had the right to enjoy that which was assigned to them by the treaty of Utrecht.

VI. With regard to the fishery in the gulph of St. Laurence, the French shall continue to exercise it conformably to the fifth article of the treaty of Paris.

VII. The King of Great Britain restores to France the island of St. Lucia; in the condition it was in when it was conquered by the British arms: and his Britannic Majesty cedes and guaranties to his most Christian Majesty the island of Tobago. The Protestant inhabitants of the said island, as well as those of the same religion who shall have settled at St. Lucia, whilst that island was occupied by the British arms, shall not be molested in the exercise of their worship: and the British inhabitants, or others who may have been subjects of the King of Great Britain in the aforesaid islands, shall retain their possessions upon the same titles and conditions by which they have acquired them; or else they may retire in full security and liberty, where they shall think fit, and shall have the power of selling their estates, provided it be to subjects of his most Christian Majesty, and of removing their effects, as well as their persons, without being restrained in their emigration under any pretence whatsoever, except on account of debts, or of criminal prosecutions. The term limited for this emigration is fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty. And for the better securing the possessions of the inhabi-

tants of the aforesaid island of Tobago, the most Christian King shall issue letters patent, containing an abolition of the *droit d'aubaine* in the said island.

VIII. The most Christian King restores to Great Britain the islands of Grenada, and the Grenadines, St. Vincent's, Dominica, St. Christopher's, Nevis, and Montserrat; and the fortresses of these islands shall be delivered up in the condition they were in when the conquest of them was made. The same stipulations inserted in the preceding article shall take place in favour of the French subjects, with respect to the islands enumerated in the present article.

IX. The King of Great Britain cedes, in full right, and guaranties to his most Christian Majesty, the river Senegal, and its dependencies, with the forts of St. Louis, Podor, Galam, Arguin, and Portendic; and his Britannic Majesty restores to France the island of Gorée, which shall be delivered up in the condition it was in when the conquest of it was made.

X. The most Christian King, on his part, guaranties to the King of Great Britain the possession of fort James, and of the river Gambia.

XI. For preventing all discussion in that part of the world, the two high contracting parties shall, within three months after the exchange of the ratifications of the present treaty, name commissaries, who shall be charged with the settling and fixing of the boundaries of the respective possessions. As to the gum trade, the English shall have the liberty of carrying it on, from the mouth of the river St. John, to the bay and fort of Portendic inclusively. Provided that they shall not form any permanent settlement, of what nature soever, in the said river St. John, upon the coast, or in the bay of Portendic.

XII. As to the residue of the coast of Africa, the English and French subjects shall continue to resort thereto,

thereto, according to the usage which has hitherto prevailed.

XIII. The King of Great Britain restores to his most Christian Majesty all the settlements which belonged to him at the beginning of the present war, upon the coast of Orixa, and in Bengal, with liberty to surround Chandernagore with a ditch for carrying off the waters: and his Britannic Majesty engages to take such measures as shall be in his power for securing to the subjects of France in that part of India, as well as on the coasts of Orixa, Coromandel, and Malabar, a safe, free, and independent trade, such as was carried on by the French East India Company, whether they exercise it individually, or united in a company.

XIV. Pondicherry shall be in like manner delivered up and guaranteed to France, as also Karikal; and his Britannic Majesty shall procure, for an additional dependency to Pondicherry, the two districts of Valanour and Bahour; and to Karikal, the four Magans bordering thereupon.

XV. France shall re-enter into the possession of Mahé, as well as of its factory at Surat; and the French shall carry on their trade in this part of India conformably to the principles established in the thirteenth article of this treaty.

XVI. Orders having been sent to India by the high contracting parties, in pursuance of the sixteenth article of the preliminaries, it is further agreed, that if, within the term of four months, the respective allies of their Britannic and most Christian Majesties shall not have acceded to the present pacification, or concluded a separate accommodation, their said Majesties shall not give them any assistance, directly or indirectly, against the British or French possessions, or against the ancient possessions of their respective allies, such as they were in the year 1776.

XVII. The King of Great Britain, being desirous

to give to his most Christian Majesty a sincere proof of reconciliation and friendship, and to contribute to render solid the peace re-established between their said Majesties, consents to the abrogation and suppression of all the articles relative to Dunkirk, from the treaty of peace concluded at Utrecht in 1713, inclusive, to this day.

XVIII. Immediately after the exchange of the ratifications, the two high contracting parties shall name commissaries to treat concerning new arrangements of commerce between the two nations, on the basis of reciprocity and mutual convenience; which arrangements shall be settled and concluded within the space of two years, to be computed from the first of January, in the year 1784.

XIX. All the countries and territories which may have been, or which may be conquered, in any part of the world whatsoever, by the arms of his Britannic Majesty, as well as by those of his most Christian Majesty, which are not included in the present treaty, neither under the head of Cessions, nor under the head of Restitutions, shall be restored without difficulty, and without requiring any compensation.

XX. As it is necessary to appoint a certain period for the restitutions and evacuations to be made by each of the high contracting parties, it is agreed that the King of Great Britain shall cause to be evacuated the islands of St. Pierre and Miquelon, three months after the ratification of the present treaty, or sooner, if it can be done; St. Lucia (one of the Charibee islands) and Gorée in Africa, three months after the ratification of the present treaty, or sooner, if it can be done. The King of Great Britain shall, in like manner, at the end of three months after the ratification of the present treaty, or sooner, if it can be done, enter again into the possession of the islands of Grenada, the Grenadines, St. Vincent's, Dominica, St. Christopher's, Nevis, and Montserrat. France shall be put in possession

cession of the towns and factories which are restored to her in the East Indies, and of the territories which are procured for her, to serve as additional dependencies to Pondicherry, and to Karikal, six months after the ratification of the present treaty, or sooner, if it can be done. France shall deliver up, at the end of the like term of six months, the towns and territories which her arms may have taken from the English, or their allies, in the East Indies. In consequence whereof, the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships which shall carry them, immediately after the ratification of the present treaty.

XXI. The decision of the prizes and seizures made prior to the hostilities shall be referred to the respective courts of justice; so that the legality of the said prizes and seizures shall be decided according to the law of nations, and to treaties, in the courts of justice of the nation which shall have made the capture, or ordered the seizures.

XXII. For preventing the revival of the law-suits which have been ended in the islands conquered by either of the high contracting parties, it is agreed, that the judgments pronounced in the last resort, and which have acquired the force of matters determined, shall be confirmed and executed according to their form and tenor.

XXIII. Their Britannic and most Christian Majesties promise to observe sincerely, and *bonâ fide*, all the articles contained and established in the present treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective subjects: and the said high contracting parties guaranty to each other, generally and reciprocally, all the stipulations of the present treaty.

XXIV. The solemn ratifications of the present treaty, prepared in good and due form, shall be ex-



changed in this city of Versailles, between the high contracting parties, in the space of a month, or sooner if possible, to be computed from the day of the signature of the present treaty.

In witness whereof, we the under-written Ambassador Extraordinary and Ministers Plenipotentiary have signed with our hands, in their names, and in virtue of our respective full powers, the present definitive treaty, and have caused the seals of our arms to be affixed thereto.

Done at Versailles, the third day of September, one thousand seven hundred and eighty-three.

*Manchester.* (L. S.)      *Gravier de Vergennes.* (L. S.)

*Separate Articles.*

I. SOME of the titles made use of by the contracting parties, whether in the full powers, and other instruments, during the course of the negotiation, or in the preamble of the present treaty, not being generally acknowledged, it has been agreed, that no prejudice should ever result therefrom to either of the said contracting parties; and that the titles taken or omitted on either side, upon occasion of the said negotiation, and of the present treaty, shall not be cited, or quoted as a precedent.

II. It has been agreed and determined, that the French language, made use of in all the copies of the present treaty, shall not form an example which may be alledged or quoted as a precedent, or in any manner prejudice either of the contracting Powers; and that they shall conform for the future to what has been observed, and ought to be observed, with regard to, and on the part of Powers, who are in the practice and possession of giving and receiving copies of like treaties in a different language from the French; the present treaty having, nevertheless, the same force and virtue as if the aforesaid practice had been therein observed.

In

In witness whereof, we the under-written Ambassador Extraordinary and Ministers Plenipotentiary of their Britannic and most Christian Majesties, have signed the present separate articles; and have caused the seals of our arms to be affixed thereto.

Done at Versailles, the third of September, one thousand seven hundred and eighty-three.

*Manchester.* (L. S.)      *Gravier de Vergennes.* (L. S.)

*Declaration.*

THE King having entirely agreed with his most Christian Majesty upon the articles of the definitive treaty, will seek every means which shall not only insure the execution thereof, with his accustomed good faith and punctuality, but will besides give, on his part, all possible efficacy to the principles which shall prevent even the least foundation of dispute for the future.

To this end, and in order that the fishermen of the two nations may not give cause for daily quarrels, his Britannic Majesty will take the most positive measures for preventing his subjects from interrupting, in any manner, by their competition, the fishery of the French, during the temporary exercise of it which is granted to them upon the coasts of the island of Newfoundland; and he will, for this purpose, cause the fixed settlements, which shall be formed there, to be removed. His Britannic Majesty will give orders that the French fishermen be not incommoded, in cutting the wood necessary for the repair of their scaffolds, huts, and fishing-vessels.

The thirteenth article of the treaty of Utrecht, and the method of carrying on the fishery, which has at all times been acknowledged, shall be the plan upon which the fishery shall be carried on there; it shall not be deviated from by either party; the French fishermen building only their scaffolds, confining themselves

elves to the repair of their fishing-vessels, and not wintering there; the subjects of his Britannic Majesty, on their part, not molesting in any manner the French fishermen during their fishing, nor injuring their scaffolds during their absence.

The King of Great Britain, in ceding the islands of St. Pierre and Miquelon to France, regards them as ceded for the purpose of serving as a real shelter to the French fishermen, and in full confidence that these possessions will not become an object of jealousy between the two nations; and that the fishery between the said islands and that of Newfoundland shall be limited to the middle of the channel.

With regard to India, Great Britain having granted to France every thing that can ascertain and confirm the trade which the latter requires to carry on there, his Majesty relies with confidence on the repeated assurances of the court of Versailles, that the power of surrounding Chandernagore with a ditch for carrying off the waters, shall not be exercised in such a manner as to make it become an object of umbrage.

The new state in which commerce may perhaps be found in all parts of the world, will demand revisions and explanations of the subsisting treaties; but an entire abrogation of those treaties, in whatever period it might be, would throw commerce into such confusion as would be of infinite prejudice to it.

In some of the treaties of this sort, there are not only articles which relate merely to commerce, but many others which insure reciprocally to the respective subjects, privileges, facilities for conducting their affairs, personal protections, and other advantages, which are not, and which ought not to be of a changeable nature, such as the regulations relating merely to the value of goods and merchandize, variable from circumstances of every kind.

When therefore the state of the trade between the two nations shall be treated upon, it is requisite to be understood, that the alterations which may be made in

the subsisting treaties are to extend only to arrangements merely commercial; and that the privileges and advantages, mutual and particular, be not only preserved on each side, but even augmented, if it can be done.

In this view, his Majesty has consented to the appointment of commissaries on each side, who shall treat solely upon this object.

In witness whereof, we his Britannic Majesty's Ambassador Extraordinary and Minister Plenipotentiary, being thereto duly authorized, have signed the present declaration, and caused the seal of our arms to be set thereto.

Given at Versailles, the third of September, one thousand seven hundred and eighty-three.

(L. S.) *Marchese*.

*Counter-Declaration.*

THE principles which have guided the King in the whole course of the negotiations which preceded the re-establishment of peace, must have convinced the King of Great Britain, that his Majesty has had no other design than to render it solid and lasting, by preventing, as much as possible, in the four quarters of the world, every subject of discussion and quarrel. The King of Great Britain undoubtedly places too much confidence in the uprightness of his Majesty's intentions, not to rely upon his constant attention to prevent the islands of St. Pierre and Miquelon from becoming an object of jealousy between the two nations.

As to the fishery on the coasts of Newfoundland, which has been the object of the new arrangements settled by the two Sovereigns upon this matter, it is sufficiently ascertained by the fifth article of the treaty of peace signed this day, and by the declaration likewise delivered to-day, by his Britannic Majesty's Ambassador  
Extraordinary

Extraordinary and Plenipotentiary; and his Majesty declares that he is fully satisfied on this head.

In regard to the fishery between the island of Newfoundland, and those of St. Pierre and Miquelon, it is not to be carried on, by either party, but to the middle of the channel; and his Majesty will give the most positive orders, that the French fishermen shall not go beyond this line. His Majesty is firmly persuaded that the King of Great Britain will give like orders to the English fishermen.

The King's desire to maintain the peace comprehends India as well as the other parts of the world; his Britannic Majesty may therefore be assured, that his Majesty will never permit that an object so inoffensive and so harmless as the ditch with which Chandernagore is to be surrounded, should give any umbrage to the court of London.

The King, in proposing new arrangements of commerce, had no other design than to remedy, by the rules of reciprocity and mutual convenience, whatever may be defective in the treaty of commerce signed at Utrecht, in one thousand seven hundred and thirteen. The King of Great Britain may judge from thence, that his Majesty's intention is not in any wise to cancel all the stipulations in the above-mentioned treaty; he declares, on the contrary, from henceforth, that he is disposed to maintain all the privileges, facilities, and advantages expressed in that treaty, as far as they shall be reciprocal, or compensated by equivalent advantages. It is to attain this end, desired on each side, that commissaries are to be appointed to treat upon the state of the trade between the two nations, and that a considerable space of time is to be allowed for completing their work. His Majesty hopes that this object will be pursued with the same good faith, and the same spirit of conciliation, which presided over the discussion of all the other points comprized in the definitive treaty; and his said Majesty is firmly persuaded that

that the respective commissaries will employ the utmost diligence for the completion of this important work.

In witness whereof, we the under-written Minister Plenipotentiary of his most Christian Majesty, being thereto duly authorized, have signed the present counter-declaration, and have caused the seal of our arms to be affixed thereto.

Given at Versailles, the third of September, one thousand seven hundred and eighty-three.

(L. S.) *Gravier de Vergennes.*

WE, Ambassador Plenipotentiary of his Imperial and Royal Apostolic Majesty, having acted as mediator in the work of pacification, declare that the treaty of peace signed this day at Versailles, between his Britannic Majesty and his most Christian Majesty, with the two separate articles thereto annexed, and of which they form a part, as also with all the clauses, conditions, and stipulations which are therein contained, was concluded by the mediation of his Imperial and Royal Apostolic Majesty. In witness whereof, we have signed these presents with our hand, and have caused the seal of our arms to be affixed thereto. Done at Versailles, the third of September, one thousand seven hundred and eighty-three.

(L. S.) *Le Comte de Mercy Argenteau.*

WE, Ministers Plenipotentiary of her Imperial Majesty of all the Russias, having acted as mediators in the work of pacification, declare that the treaty of peace, signed this day at Versailles, between his Britannic Majesty, and his most Christian Majesty, with the two separate articles thereto annexed, and of which they form a part, as also with all the clauses, conditions, and stipulations which are therein contained, was concluded by the mediation of her Imperial Majesty of all the Russias. In witness whereof, we have signed these presents with our hands, and have caused the  
seals

seals of our arms to be affixed thereto. Done at Versailles, the third of September, one thousand seven hundred and eighty-three.

(L. S.) *Prince Iwan Bariatinskoy.*

(L. S.) *A. Marcoff.*

*His Britannic Majesty's Full Power.*

GEORGE R.

GEORGE the Third, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, Duke of Brunswic and Lunenburg, Arch-treasurer, and Prince Elector of the Holy Roman Empire, &c. ; to all and singular to whom these presents shall come, greeting. Whereas, for perfecting the peace between us and our good brother the most Christian King, which has been happily begun by the preliminary articles already signed at Versailles, on the twentieth day of January last, and for bringing the same to the desired conclusion, we have thought proper to invest some fit person with full authority on our part; and whereas our right trusty and right entirely beloved cousin and counsellor George Duke and Earl of Manchester, Viscount Mandeville, Baron of Kimbolton, Lord Lieutenant and Custos Rotulorum of the county of Huntingdon, has merited our favour by his illustrious descent, eminent qualities of mind, singular experience in affairs, and approved fidelity, on whom therefore we have conferred the character of our Ambassador Extraordinary and Plenipotentiary to our said good brother the most Christian King, being persuaded that he will highly dignify the office which we have resolved to entrust to him; Know ye therefore, that we have made, constituted, and appointed, and, by these presents, do make, constitute, and appoint, him the said George Duke of Manchester, our true, certain, and undoubted Plenipotentiary, Commissioner, and Procurator, giving and granting to him full and all manner of power and authority, as also our general and special

cial command, for us, and in our name, to meet and confer with the said most Christian King, and his Ministers, Commissioners, or Procurators, furnished with sufficient authority, as also with the Ambassadors, Commissioners, Deputies, and Plenipotentiaries of the other Princes and States whom it may concern, being likewise furnished with sufficient authority, whether singly and separately, or collectively and jointly, and with them to agree, treat, consult, and conclude upon the re-establishing, as soon as may be, of a firm and lasting peace, and sincere friendship and concord; and for us, and in our name, to sign whatever may be so agreed upon and concluded; and also to make, and mutually deliver and receive, a treaty or treaties, or such other and so many instruments as shall be requisite, upon the business concluded, and to transact all other matters which may relate to the happily accomplishing of the aforesaid work, in as ample manner and form, and with equal force and effect; as we, if we were present, could do and perform: engaging and promising, on our Royal word, that we will approve, ratify, and accept, in every more perfect form, whatever may happen to be transacted and concluded by our said Plenipotentiary, and that we will never suffer the same to be violated or infringed by any one, either in the whole or in part. In witness, and for the greater validity of all which, we have caused our great seal of Great Britain to be affixed to these presents, signed with our Royal hand. Given at our court at St. James's, the twentieth day of April, in the year of our Lord one thousand seven hundred and eighty-three, and in the twenty-third year of our reign.

*His most Christian Majesty's Full Power.*

LEWIS, by the grace of God, King of France and Navarre; to all those who shall see these presents, greeting. The preliminaries signed at Versailles the twentieth of January, in the present year, laid the foundation of the peace re-established between us and our  
most



most dear and most beloved good brother the King of Great Britain. We have nothing more at heart than to consolidate that salutary and important work, by a solemn and definitive treaty: for these causes, and other good considerations us thereunto moving, we confiding entirely in the capacity and experience, zeal and fidelity in our service, of our most dear and well-beloved the Sieur Count de Vergennes, our Counsellor in all our Councils, Commander in our Orders, President of our Royal Council of Finances, Counsellor of State Military, Minister and Secretary of State, and of our Commands and Finances, having the department of foreign affairs, we have named, appointed, and deputed him, and by these presents, signed with our hand, do name, appoint, and depute him our Minister Plenipotentiary, giving him full and absolute power to act in that quality, and to confer, negotiate, treat, and agree, jointly with the Minister Plenipotentiary of our most dear and most beloved good brother the King of Great Britain, invested with full powers in good form, to agree upon, conclude, and sign such articles, conditions, conventions, declarations, definitive treaty, accessions, and other acts whatsoever, that he shall judge proper for securing and confirming the great work of peace, the whole with the same latitude and authority as we ourself might do, if we were there present in person, even though there should be something which might require a more special order than what is contained in these presents; promising, on the faith and word of a King, to approve, keep firm and stable for ever, fulfil and execute punctually, every thing that the said Sieur Count de Vergennes shall have stipulated and signed, in virtue of the present full power, without ever infringing, or permitting the same to be infringed, for any cause or under any pretence whatsoever; as also to cause our letters of ratification thereof to be expedited in good form, and to cause them to be delivered, in order to their being exchanged, in the time  
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which shall be agreed upon: for such is our pleasure. In witness whereof, we have caused our seal to be put to these presents. Given at Versailles, the fourth day of the month of February, in the year of grace one thousand seven hundred and eighty-three, and in the ninth year of our reign. Signed, LOUIS; and on the fold, By the King, *La Croix*, *Marshal de Castries*; and sealed with the great seal of yellow wax.

*The Emperor's Full Power.*

WE Joseph the Second, by the Divine favour, Emperor elect of the Romans, always August, King of Germany, Jerusalem, Hungary, Bohemia, Dalmatia, Croatia, Slavonia, and Lodomeria; Archduke of Austria; Duke of Burgundy, Lorraine, Stiria, Carinthia, and Carniola; Great Duke of Tuscany; Great Prince of Transilvania; Marquis of Moravia; Duke of Brabant, Limburg, Luxemburg and Gueldres, Wirtemberg, Upper and Lower Silesia, Milan, Mantua, Parma, Placentia and Guastalla, Ofvecinia and Zatoria, Calabria, Barri, Montferat and Teschin; Prince of Suevia and Carolopolis; Count of Hapsburg, Flanders, Tyrol, Hainault, Kiburg, Goritia, and Gradisca; Marquis of the Holy Roman Empire, of Burgovia, Upper and Lower Lusatia, Mussopont, and Nomeny; Count of Namur, Provence, Vaudemont, Albimont, Zutphen, Sarwar, Salm, and Falkenstein; Lord of Marchpurg, Slavonia, and Mechlin;—

By the tenor of these presents make known and testify to all and singular whom it doth or may in any manner concern. During the time that the late extensive war overspread almost the whole world, we, and her Majesty the Empress and sole Monarch of all the Russias, animated with an equal desire of putting an end as soon as possible to the calamities of the war, did not omit frequently to manifest our earnest inclination that by the interposition of our respective and mutual friendly offices, a reconciliation of the belligerent parties might be promoted, and the former peace and sincere concord between them be restored. It was

very agreeable to us to understand that our common endeavours had not failed of the desired effect; for a more pacific disposition afterwards prevailing in the minds of the Princes engaged in the war, and the business being already so far happily advanced, that previous conditions of peace, or preliminary articles, were agreed upon between them, on which the general work of pacification might be founded, the aforesaid most Serene and most Potent Princes desired, in a friendly manner, that, in concert with her Imperial Majesty of all the Russias, we would apply our joint attention to this salutary business, and interpose our friendly offices for establishing the peace, of which the foundations were happily laid by the above-mentioned previous conditions, in order that by the united efforts of the mediators, the great work of peace might on every side be the more certainly accomplished. We, ever intent upon that object, perceived with the greater satisfaction the sentiments of the above-mentioned Princes, and, having previously concerted measures with her Majesty the Empress of all the Russias, did not hesitate to confirm the expectations they had conceived on our part, by accepting, with a willing and cheerful mind, the trust committed to us. For which end we have made choice of the illustrious and noble, our faithful and beloved Florimond Count de Mercy-Argenteau, Knight of the Golden Fleece, our actual Privy Counsellor, and our Ambassador residing at the court of the most Serene and most Potent King of France and Navarre, a person of singular fidelity, integrity, and experience in the proper conduct of affairs; and have appointed, and hereby given him full power to take upon him, in our name, the office of mediator, conjointly with such person or persons who shall be appointed and furnished with equal full power, as well on the part of her Majesty the Empress of all the Russias, as co-mediatrix, as on the part of the other Princes who may be interested therein, and to contribute his counsel and assistance for concluding, by the inter-

Interposition of friendly offices and united efforts, such treaties, conventions, or regulations whatsoever, as may appear to be necessary for completing the work of peace; all which he shall subscribe and sign, and shall also deliver such instrument or instruments, on his part, as may be proper and required of him for perfecting the business: promising, on our Imperial, Royal, and Archducal word, that we will ratify, accept, and faithfully fulfil all such things as our said Ambassador shall have concluded, promised, and signed, by virtue of these presents; and that we will order letters of ratification to be expedited at the time agreed upon. In witness, and for the greater validity whereof, we have signed this instrument of full power with our hand, and have ordered it to be confirmed with our Imperial, Royal, and Archducal seal affixed thereto. Given in our city of Vienna, the sixteenth day of April, in the year of our Lord one thousand seven hundred and eighty-three, in the twentieth of our Roman-Germanic reign, and the third of our hereditary reign.

JOSEPHUS.

*W. Kaunitz Rietberg.*

By his Sacred Imperial and Royal Apostolic Majesty's special command.

*Ant. Spielmann.*

*The Empress of Russia's Full Power.*

BY the grace of God, we Catherine the Second, Empress and sole Monarch of all the Russias, of Muscovy, Kiovia, Vlodomiria, Novogorod, Czarina of Casan, Czarina of Astracan, Czarina of Siberia, Lady of Plescau, and Great Dutchess of Smolensko; Dutchess of Estonia, of Livonia, Carelia, Twer, Ingoria, Geremia, Viatkia, Bulgaria, and other countries; Lady and Great Dutchess of Lower Novogorod, of Czernigovia, Rasan, Rostow, Jaroslaw, Belo-Osoria, Udoria, Obdoria, Condinia; Ruler of all the side of the North; Lady

of Iveria; and Hereditary Princes and Sovereign of the Czars of Cartalinia and Georgia, as also of Cabardinia, of the Princes of Circassia, of Gorski, &c. Being intent, during all the course of the late war, which had extended over every part of the earth, to testify how much we had it at heart to see the calamities thereof terminated, we were inclined, in conjunction with his Majesty the Emperor of the Romans, King of Hungary and Bohemia, to employ our good offices, in order to find means of conciliation proper for re-establishing peace and good understanding between the belligerent Powers. We have had the satisfaction to observe that our common endeavours were not fruitless; and the pacific sentiments with which the said Powers were happily animated, having ripened and strengthened so far that they proceeded to conclude preliminary articles, serving as a basis to the definitive treaties, they invited us, conjointly with his Majesty the Emperor of the Romans, King of Hungary and Bohemia, to carry our united mediation into full execution, and to interpose our good offices in this salutary work, by concurring to consolidate and fully establish the peace, the foundations of which were laid by the aforesaid preliminary articles, and thus to accomplish the business of pacification so happily begun. We, equally induced by the sentiments above expressed, as by a just acknowledgment of those which were manifested to us on the part of the said Powers, did not hesitate, in concert with his Majesty the Emperor of the Romans, to confirm their expectation, and to charge ourself with the important employment which was tendered to us. For this end, we have made choice of, named, and deputed, and by these presents do make choice of, name, and depute, our Ministers Plenipotentiary to his most Christian Majesty, our beloved and trusty Prince, Iwan Bariatinskoy, Lieutenant General of our forces, Knight of the Order of St. Anne, and the Sieur Arcadius de Marcoff, our Counsellor of Chancery, giving them full power, in our name, and on our behalf,

behalf, in quality of mediators, jointly with him or them who shall be named for this purpose, and likewise furnished with full powers, on the part of his Majesty the Emperor of the Romans, King of Hungary and Bohemia, co-mediator, as well as on the part of the other Powers interested therein, to act or interpose, and assist with our mediation and good offices in the arrangement and completion of all such treaties, conventions, or other instruments, as shall be judged necessary for the consolidation and entire confirmation of the work begun; and also to sign and deliver, on their part, such act or acts as may be required and deemed conducive to the attainment of that end: promising, on our faith and Imperial word, to approve and faithfully perform every thing which shall have been done, concluded, promised, and signed, in virtue of the present full power, by the said Prince Bariatskoy and Sieur Marcoff, as also to cause our ratifications thereof to be expedited in the time agreed upon. In witness whereof, we have signed these presents with our own hand, and have caused the great seal of the empire to be fixed thereto. Given at our residence of St. Petersburg, the twelfth of March, in the year of grace one thousand seven hundred and eighty-three, and in the twenty-first year of our reign.

CATHERINE.

*Count John d'Ostermann.*

[The COMMERCIAL TREATY, 1786, is printed from the copy, which was published by authority, in 1786.]

*The Treaty of Navigation and Commerce between his Britannic Majesty and the most Christian King; Signed at Versailles, the 26th of September, 1786.*

HIS Britannic Majesty, and his most Christian Majesty, being equally animated with the desire

not only of consolidating the good harmony which actually subsists between them, but also of extending the happy effects thereof to their respective subjects, have thought that the most efficacious means for attaining those objects, conformably to the eighteenth article of the treaty of peace signed the 6th of September, 1783, would be to adopt a system of commerce on the basis of reciprocity and mutual convenience, which, by discontinuing the prohibitions and prohibitory duties which have existed for almost a century between the two nations, might procure the most solid advantages on both sides to the national productions and industry, and put an end to contraband trade, no less injurious to the public revenue than to that lawful commerce which is alone entitled to protection. For this end, their said Majesties have named for their Commissaries and Plenipotentiaries, to wit, the King of Great Britain, William Eden, Esq; Privy Counsellor in Great Britain and Ireland, Member of the British Parliament, and his Envoy Extraordinary and Minister Plenipotentiary to his most Christian Majesty; and the most Christian King, the Sieur Joseph Mathias Gerard de Rayneval, Knight, Counsellor of State, Knight of the Royal Order of Charles III; who, after having exchanged their respective full powers, have agreed upon the following articles,

I. It is agreed and concluded between the most Serene and most Potent King of Great Britain, and the most Serene and most Potent the most Christian King, that there shall be a reciprocal and entirely perfect liberty of navigation and commerce between the subjects of each party, in all and every the kingdoms, states, provinces, and territories, subject to their Majesties, in Europe, for all and singular kinds of goods, in those places, upon the conditions, and in such manner and form as is settled and adjusted in the following articles,

II. For

II. For the future security of commerce and friendship between the subjects of their said Majesties, and to the end that this good correspondence may be preserved from all interruption and disturbance, it is concluded and agreed, that if at any time there should arise any misunderstanding, breach of friendship, or rupture, between the crowns of their Majesties, which God forbid! (which rupture shall not be deemed to exist until the recalling or sending home of the respective Ambassadors and Ministers) the subjects of each of the two parties, residing in the dominions of the other, shall have the privilege of remaining and continuing their trade therein, without any manner of disturbance, so long as they behave peaceably, and commit no offence against the laws and ordinances: and in case their conduct should render them suspected, and the respective governments should be obliged to order them to remove, the term of twelve months shall be allowed them for that purpose, in order that they may remove, with their effects and property, whether entrusted to individuals or to the State. At the same time it is to be understood, that this favour is not to be extended to those who shall act contrary to the established laws.

III. It is likewise agreed and concluded, that the subjects and inhabitants of the kingdoms, provinces, and dominions of their Majesties, shall exercise no acts of hostility or violence against each other, either by sea or by land, or in rivers, streams, ports, or havens, under any colour or pretence whatsoever; so that the subjects of either party shall receive no patent, commission, or instruction for arming and acting at sea as privateers, nor letters of reprisal, as they are called, from any Princes or States, enemies to the other party; nor by viriue or under colour of such patents, commissions, or reprisals, shall they disturb, infest, or any way prejudice or damage the foresaid subjects and inhabitants of the King of Great Britain, or of the most Christian King; neither shall they arm ships in



such manner as is abovesaid, or go out to sea therewith, To which end, as often as it is required by either party, strict and exprefs prohibitions shall be renewed and published in all the territories, countries, and dominions of each party wheresoever, that no one shall in any wise use such commissions or letters of reprisal, under the severest punishment that can be inflicted on the transgressors, besides being liable to make full restitution and satisfaction to those to whom they have done any damage: neither shall any letters of reprisal be hereafter granted by either of the said high contracting parties, to the prejudice or detriment of the subjects of the other, except only in such case wherein justice is denied or delayed; which denial or delay of justice shall not be regarded as verified, unless the petition of the person who desires the said letters of reprisal be communicated to the Minister residing there on the part of the Prince against whose subjects they are to be granted, that within the space of four months, or sooner, if it be possible, he may manifest the contrary, or procure the satisfaction which may be justly due.

IV. The subjects and inhabitants of the respective dominions of the two Sovereigns shall have liberty, freely and securely, without licence or passport, general or special, by land or by sea, or any other way, to enter into the kingdoms, dominions, provinces, countries; islands, cities, villages, towns, walled or unwalled, fortified or unfortified, ports, or territories whatsoever, of either Sovereign, situated in Europe, and to return from thence, to remain there, or to pass through the same, and therein to buy and purchase, as they please, all things necessary for their subsistence and use, and they shall mutually be treated with all kindness and favour. Provided, however, that in all these matters they behave and conduct themselves conformably to the laws and statutes, and live with each other in a friendly and peaceable manner, and promote reciprocal concord by maintaining a mutual good understanding.

V. The

V. The subjects of each of their said Majesties may have leave and licence to come with their ships, as also with the merchandizes and goods on board the same, the trade and importation whereof are not prohibited by the laws of either kingdom, and to enter into the countries, dominions, cities, ports, places, and rivers of either party, situated in Europe, to resort thereto, and to remain and reside there, without any limitation of time; also to hire houses; or to lodge with other persons, and to buy all lawful kinds of merchandizes where they think fit, either from the first maker or the seller, or in any other manner, whether in the public market for the sale of merchandizes; or in fairs, or wherever such merchandizes are manufactured or sold. They may likewise deposit and keep in their magazines and warehouses the merchandizes brought from other parts, and afterwards expose the same to sale, without being in any wise obliged, unless willingly and of their own accord, to bring the said merchandizes to the marts and fairs. Neither are they to be burthened with any impositions or duties on account of the said freedom of trade, or for any other cause whatsoever, except those which are to be paid for their ships and merchandizes conformably to the regulations of the present treaty, or those to which the subjects of the two contracting parties shall themselves be liable. And they shall have free leave to remove themselves, as also their wives, children, and servants, together with their merchandizes, property, goods, or effects, whether bought or imported, wherever they shall think fit, out of either kingdom, by land and by sea, on the rivers and fresh waters, after discharging the usual duties, any law, privilege, grant, immunities, or customs to the contrary thereof in any wise notwithstanding. In matters of religion, the subjects of the two crowns shall enjoy perfect liberty: they shall not be compelled to attend Divine service, whether in the churches or elsewhere; but, on the contrary, they shall be permitted, without any molestation, to perform

perform the exercises of their religion privately in their own houses, and in their own way. Liberty shall not be refused to bury the subjects of either kingdom, who die in the territories of the other, in convenient places to be appointed for that purpose; nor shall the funerals or sepulchres of the deceased be in any wise disturbed. The laws and statutes of each kingdom shall remain in force and vigour, and shall be duly put in execution, whether they relate to commerce and navigation, or to any other right, those cases only excepted, concerning which it is otherwise determined in the articles of this present treaty.

VI. The two high contracting parties have thought proper to settle the duties on certain goods and merchandizes, in order to fix invariably the footing on which the trade therein shall be established between the two nations. In consequence of which they have agreed upon the following tariff, *viz.*

1st. The wines of France, imported directly from France into Great Britain, shall in no case pay any higher duties than those which the wines of Portugal now pay.

The wines of France, imported directly from France into Ireland, shall pay no higher duties than those which they now pay.

2d. The vinegars of France, instead of sixty-seven pounds five shillings and three pence, and twelve twentieths of a penny sterling, per ton, which they now pay, shall not for the future pay in Great Britain any higher duties than thirty-two pounds eighteen shillings and ten pence, and sixteen twentieths of a penny sterling, per ton.

3d. The brandies of France, instead of nine shillings and six pence, and twelve twentieths of a penny sterling, shall for the future pay in Great Britain only seven shillings sterling per gallon, making four quarts, English measure.

4th. Oil of olives, coming directly from France, shall

shall for the future pay no higher duties than are now paid for the same from the most favoured nations.

5th. Beer shall pay reciprocally a duty of thirty per cent. ad valorem.

6th. The duties on hardware, cutlery, cabinet ware, and turnery, and also all works, both heavy and light, of iron, steel, copper, and brass, shall be classed; and the highest duty shall not exceed ten per cent. ad valorem.

7th. All sorts of cottons manufactured in the dominions of the two Sovereigns in Europe, and also woollens, whether knit or wove, including hosiery, shall pay, in both countries, an import duty of twelve per cent. ad valorem; all manufactures of cotton or wool, mixed with silk, excepted, which shall remain prohibited on both sides.

8th. Cambrics and lawns shall pay, in both countries, an import duty of five shillings, or six *livres Tournois*, per demi piece of seven yards and three quarters, English measure; and linens, made of flax or hemp, manufactured in the dominions of the two Sovereigns in Europe, shall pay no higher duties, either in Great Britain or France, than linens manufactured in Holland or Flanders, imported into Great Britain, now pay.

And linens made of flax or hemp, manufactured in Ireland or France, shall reciprocally pay no higher duties than linens manufactured in Holland, imported into Ireland, now pay.

9th. Saddlery shall reciprocally pay an import duty of fifteen per cent. ad valorem.

10th. Gauzes of all sorts shall reciprocally pay ten per cent. ad valorem.

11th. Millinery made up of muslin, lawn, cambric, or gauze of every kind, or of any other article admitted under the present tariff, shall pay reciprocally a duty of twelve per cent. ad valorem: and if any articles shall be used therein which are not specified in the tariff, they shall pay no higher duties than those paid

paid for the same articles by the most favoured nations.

12th. Porcelain, earthen-ware, and pottery, shall pay reciprocally twelve per cent. ad valorem.

13th. Plate-glass, and glass-ware in general, shall be admitted on each side, paying a duty of twelve per cent. ad valorem.

His Britannic Majesty reserves the right of countervailing, by additional duties on the under-mentioned merchandizes, the internal duties actually imposed upon the manufactures, or the import duties which are charged on the raw materials; namely, on all linens or cottons, stained or printed, on beer, glass-ware, plate-glass, and iron.

And his most Christian Majesty also reserves the right of doing the same, with regard to the following merchandizes; namely, cottons, iron, and beer.

And for the better securing the due collection of the duties payable, ad valorem, which are specified in the above tariff, the said contracting parties will concert with each other as well the form of the declarations to be made, as also the proper means of preventing fraud with respect to the real value of the said goods and merchandizes.

But if it shall hereafter appear that any mistakes have inadvertently been made in the above tariff, contrary to the principles on which it is founded, the two Sovereigns will concert with good faith upon the means of rectifying them.

VII. The duties above specified are not to be altered but by mutual consent; and the merchandizes not above specified shall pay, in the dominions of the two Sovereigns, the import and export duties payable in each of the said dominions by the most favoured European nations, at the time the present treaty bears date; and the ships belonging to the subjects of the said dominions shall also respectively enjoy therein all the privileges and advantages which are granted to those of the most favoured European nations.

And

And it being the intention of the two high contracting parties, that their respective subjects should be, in the dominions of each other, upon a footing as advantageous as those of other European nations, they agree that, in case they shall hereafter grant any additional advantages in navigation or trade to any other European nation, they will reciprocally allow their said subjects to participate therein, without prejudice however to the advantages which they reserve, *viz.* France, in favour of Spain, in consequence of the twenty-fourth article of the family compact, signed the 10th of May, 1761, and England according to what she has practised in conformity to, and in consequence of the convention of 1703, between England and Portugal.

And, to the end that every person may know with certainty the state of the aforesaid imposts, customs, import and export duties, whatever they may be, it is agreed that tariffs, indicating the imposts, customs, and established duties, shall be affixed in public places, as well in Rouën and the other trading cities of France, as in London and the other trading cities under the dominion of the King of Great Britain, that recourse may be had to them whenever any difference shall arise concerning such imposts, customs, and duties, which shall not be levied otherwise than in conformity to what is clearly expressed in the said tariffs, and according to their natural construction. And if any officer, or other person in his name, shall, under any pretence, publicly or privately, directly or indirectly, demand or take of a merchant, or of any other person, any sum of money, or any thing else, on account of duties, impost, search, or compensation, although it be under the name of a free gift, or under any other pretence, more or otherwise than what is above prescribed; in such case, the said officer, or his deputy, if he be accused and convicted of the same before a competent judge, in the place where the crime was committed, shall give full satisfaction to the injured party, and shall likewise suffer the penalty prescribed by the laws.

VIII. No merchandize exported from the countries respectively under the dominion of their Majesties; shall hereafter be subject to be inspected or confiscated, under any pretence of fraud or defect in making or working them, or of any other imperfection whatsoever; but absolute freedom shall be allowed to the buyer and seller to bargain and fix the price for the same, as they shall see good; any law, statute, edict, proclamation, privilege, grant, or custom to the contrary notwithstanding.

IX. Whereas several kinds of merchandizes, which are usually contained in casks, chests, or other cases, and for which the duties are paid by weight, will be exported from and imported into France by British subjects; it is agreed, that, in such case, the aforesaid duties shall be demanded only according to the real weight of the merchandizes; and the weight of the casks, chests, and other cases whatever, shall be deducted, in the same manner as has been and is now practised in England.

X. It is further agreed, that if any mistake or error shall be committed by any master of a ship, his interpreter or factor, or by others employed by him, in making the entry or declaration of her cargo, neither the ship nor the cargo, for such defect, shall be subject to confiscation; but it shall be lawful for the proprietors to take back again such goods as were omitted in the entry or declaration of the master of the ship, paying only the accustomed duties according to the pancart; provided always, that there be no manifest appearance of fraud. Neither shall the merchants, or the masters of ships, or the merchandize, be subject to any penalties by reason of such omission, in case the goods omitted in the declaration shall not have been landed before the declaration has been made.

XI. In case either of the two high contracting parties shall think proper to establish prohibitions, or to augment the import duties upon any goods or merchandize

chandize of the growth or manufacture of the other, which are not specified in the tariff, such prohibitions or augmentations shall be general, and shall comprehend the like goods and merchandizes of the other most favoured European nations, as well as those of either state: and in case either of the two contracting parties shall revoke the prohibitions, or diminish the duties, in favour of any other European nation, upon any goods or merchandize of its growth or manufacture, whether on importation or exportation, such revocations or diminutions shall be extended to the subjects of the other party, on condition that the latter shall grant to the subjects of the former the importation and exportation of the like goods and merchandizes under the same duties; the cases reserved in the seventh article of the present treaty always excepted.

XII. And forasmuch as a certain usage, not authorized by any law, has formerly obtained in divers parts of Great Britain and France, by which French subjects have paid in England a kind of capitation tax, called in the language of that country Head-money; and English subjects a like duty in France, called *Argent du chef*; it is agreed, that the said impost shall not be demanded for the future, on either side, neither under the ancient name, nor under any other name whatsoever.

XIII. If either of the high contracting parties has granted or shall grant any bounties for encouraging the exportation of any articles being of the growth, produce, or manufacture of his dominions, the other party shall be allowed to add to the duties already imposed, by virtue of the present treaty, on the said goods and merchandizes imported into his dominions, such an import duty as shall be equivalent to the said bounty. But this stipulation is not to extend to the cases of substitutions of duties and imposts (called drawbacks) which are allowed upon exportation.

XIV. The



XIV. The advantages granted by the present treaty, to the subjects of his Britannic Majesty, shall take effect, as far as relates to the kingdom of Great Britain, as soon as laws shall be passed there for securing to the subjects of his most Christian Majesty the reciprocal enjoyment of the advantages which are granted to them by the present treaty.

And the advantages granted by all these articles, except the tariff, shall take effect, with regard to the kingdom of Ireland, as soon as laws shall be passed there for securing to the subjects of his most Christian Majesty the reciprocal enjoyment of the advantages which are granted to them by this treaty; and, in like manner, the advantages granted by the tariff shall take effect in what relates to the said kingdom, as soon as laws shall be passed there for giving effect to the said tariff.

XV. It is agreed, that ships belonging to his Britannic Majesty's subjects, arriving in the dominions of his most Christian Majesty from the ports of Great Britain or Ireland, or from any other foreign port, shall not pay freight duty, or any other like duty. In the same manner, French ships shall be exempted, in the dominions of his Britannic Majesty, from the duty of five shillings, and from every other similar duty or charge.

XVI. It shall not be lawful for any foreign privateers, not being subjects of either crown, who have commissions from any other Prince or State, in enmity with either nation, to arm their ships in the ports of either of the said two kingdoms, to sell what they have taken, or in any other manner whatever to exchange the same; neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the nearest port of that Prince from whom they have obtained commissions.

XVII. When any dispute shall arise between any commander of a ship and his seamen, in the ports of either kingdom, concerning wages due to the said seamen,

men, or other civil causes whatever, the magistrate of the place shall require no more from the person accused than that he give to the accuser a declaration in writing, witnessed by the magistrate, whereby he shall be bound to answer that matter before a competent judge in his own country; which being done, it shall not be lawful either for the seamen to desert their ship, or to hinder the commander from prosecuting his voyage. It shall moreover be lawful for the merchants, in the places of their abode, or elsewhere, to keep books of their accounts and affairs, as they shall think fit, and to have an intercourse of letters in such language or idiom as they shall chuse, without any molestation or search whatsoever. But if it should happen to be necessary for them to produce their books of accounts for deciding any dispute or controversy, in such case, they shall be obliged to bring into court the entire books or writings, but so as the judge may not have liberty to take cognizance of any other articles in the said books than such as shall relate to the affair in question, or such as shall be necessary to give credit to the said books; neither shall it be lawful, under any pretence, to take the said books or writings forcibly out of the hands of the owners, or to retain them, the case of bankruptcy only excepted. Nor shall the subjects of the King of Great Britain be obliged to write their accounts, letters, or other instruments relating to trade, on stamped paper, except their day-book, which, that it may be produced as evidence in any law-suit, ought, according to the laws which all persons trading in France are to observe, to be indorsed and attested *gratis* by the judge, under his own hand.

XVIII. It is further agreed and concluded, that all merchants, commanders of ships, and others, the subjects of the King of Great Britain, in all the dominions of his most Christian Majesty in Europe, shall have full liberty to manage their own affairs themselves, or to commit them to the management of whomsoever they please; nor shall they be obliged to employ any

interpreter or broker, nor to pay them any salary, unless they shall chuse to employ them. Moreover, masters of ships shall not be obliged, in loading or unloading their ships, to make use of those persons who may be appointed by public authority for that purpose, either at Bourdeaux or elsewhere; but it shall be entirely free for them to load or unload their ships by themselves, or to make use of such persons in loading or unloading the same as they shall think fit, without the payment of any reward to any other whomsoever; neither shall they be forced to unload into other ships, or to receive into their own any merchandize whatever, or to wait for their lading any longer than they please. And all the subjects of the most Christian King shall reciprocally have and enjoy the same privileges and liberties, in all the dominions of his Britannic Majesty in Europe.

XIX. The ships of either party being laden, sailing along the coasts of the other, and being forced by storm into the havens or ports, or making land there in any other manner whatever, shall not be obliged to unlade their goods, or any part thereof, or to pay any duty, unless they of their own accord unlade their goods there, and sell some part thereof. But it shall be lawful, permission having been first obtained from those who have the direction of maritime affairs, to unlade and sell a small part of their cargo, merely for the end of purchasing necessaries, either for victualing or refitting the ship; and in that case the whole lading shall not be subject to pay the duties, but that small part only which shall have been taken out and sold.

XX. It shall be lawful for all the subjects of the King of Great Britain, and of the most Christian King, to sail with their ships, with perfect security and liberty, no distinction being made who are the proprietors of the merchandizes laden thereon, from any port whatever, to the countries which are now or shall be hereafter

after at war with the King of Great Britain, or the most Christian King. It shall likewise be lawful for the aforesaid subjects to sail and traffic with their ships and merchandizes, with the same liberty and security, from the countries, ports, and places of those who are enemies of both, or of either party, without any opposition or disturbance whatsoever, and to pass directly not only from the places of the enemy aforesaid to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of the same or of several Princes. And as it has been stipulated concerning ships and goods, that every thing shall be deemed to be free which shall be found on board the ships belonging to the subjects of the respective kingdoms, although the whole lading, or part thereof, should belong to the enemies of their Majesties, contraband goods being always excepted, on the stopping of which, such proceedings shall be had as are conformable to the spirit of the following articles; it is likewise agreed, that the same liberty be extended to persons who are on board a free ship, to the end that, although they be enemies to both or to either party, they may not be taken out of such free ship, unless they are soldiers actually in the service of the enemies, and on their voyage for the purpose of being employed in a military capacity in their fleets or armies.

XXI. This liberty of navigation and commerce shall extend to all kinds of merchandizes, excepting those only which are specified in the following article, and which are described under the name of Contraband.

XXII. Under this name of Contraband, or prohibited goods, shall be comprehended arms, cannon, harquebuffes, mortars, petards, bombs, grenades, faucifles, carcasses, carriages for cannon, musket-rests, bandoleers, gunpowder, match, salt-petre, ball, pikes, swords, head-pieces, helmets, cuirasses, halberds, javelins, holsters, belts, horses and harness, and all other

Like kinds of arms and warlike implements fit for the use of troops.

XXIII. These merchandizes which follow shall not be reckoned among contraband goods, that is to say, all sorts of cloth, and all other manufactures of wool, flax, silk, cotton, or any other materials; all kinds of wearing apparel, together with the articles of which they are usually made; gold, silver, coined or uncoined, tin, iron, lead, copper, brass, coals; as also wheat and barley, and any other kind of corn and pulse, tobacco, and all kinds of spices, salted and smoked flesh, salted fish, cheese and butter, beer, oil, wines, sugar, all sorts of salt, and of provisions which serve for sustenance and food to mankind; also all kinds of cotton, cordage, cables, sails, sailcloth, hemp, tallow, pitch, tar and rosin, anchors, and any parts of anchors, ship-masts, planks, timber of all kinds of trees, and all other things proper either for building or repairing ships. Nor shall any other goods whatever, which have not been worked into the form of any instrument or furniture for warlike use, by land or by sea, be reputed contraband, much less such as have been already wrought and made up for any other purpose. All which things shall be deemed goods not contraband, as likewise all others which are not comprehended and particularly described in the preceding article; so that they may be freely carried, by the subjects of both kingdoms, even to places belonging to an enemy, excepting only such places as are besieged, blocked up, or invested.

XXIV. To the end that all manner of dissensions and quarrels may be avoided and prevented on both sides, it is agreed, that in case either of their Majesties should be engaged in war, the ships and vessels belonging to the subjects of the other shall be furnished with sea-letters or passports, expressing the name, property, and bulk of the ship, as also the name and place of abode of the master or commander of the said

faid ſhip, that it may appear thereby, that the ſhip really and truly belongs to the ſubjects of one of the Princes; which paſſports ſhall be made out and granted, according to the form annexed to the preſent treaty: they ſhall likewiſe be renewed every year, if the ſhip happens to return home within the ſpace of a year. It is alſo agreed, that ſuch ſhips when laden are to be provided not only with paſſports as above-mentioned, but alſo with certificates containing the ſeveral particulars of the cargo, the place from whence the ſhip ſailed, and whither ſhe is bound, ſo that it may be known whether ſhe carries any of the prohibited or contraband goods ſpecified in the 22d article of this treaty; which certificates ſhall be prepared by the officers of the place, from whence the ſhip ſet ſail, in the accuſtomed form. And if any one ſhall think fit to expreſs in the ſaid certificates the perſon to whom the goods belong, he may freely do ſo.

XXV. The ſhips belonging to the ſubjects and inhabitants of the reſpective kingdoms, coming to any of the coaſts of either of them, but without being willing to enter into port, or, being entered, yet not willing to land their cargoes or break bulk, ſhall not be obliged to give an account of their lading, unleſs they are ſuſpected, upon ſure evidence, of carrying prohibited goods, called contraband, to the enemies of either of the two high contracting parties.

XXVI. In caſe the ſhips belonging to the ſaid ſubjects and inhabitants of the reſpective dominions of their moſt Serene Majeſties, either on the coaſt, or on the high ſeas, ſhall meet with any men of war belonging to their moſt Serene Majeſties, or with privateers, the ſaid men of war and privateers, for preventing any inconveniencies, are to remain out of cannon-ſhot, and to ſend their boats to the merchant ſhip which may be met with, and ſhall enter her to the number of two or three men only, to whom the maſter or commander of ſuch ſhip or veſſel ſhall ſhew his paſſ-

port, containing the proof of the property of the ship, made out according to the form annexed to this present treaty; and the ship which shall have exhibited the same, shall have liberty to continue her voyage, and it shall be wholly unlawful any way to molest or search her, or to chase or compel her to alter her course.

XXVII. The merchant ships belonging to the subjects of either of the two high contracting parties, which intend to go to a port at enmity with the other Sovereign, concerning whose voyage, and the sort of goods on board, there may be just cause of suspicion, shall be obliged to exhibit, as well on the high seas as in the ports and havens, not only her passports, but also her certificates, expressing that the goods are not of the kind which are contraband, as specified in the 22d article of this treaty.

XXVIII. If, on exhibiting the above-mentioned certificates, containing a list of the cargo, the other party should discover any goods of that kind which are declared contraband, or prohibited, by the 22d article of this treaty, and which are designed for a port subject to his enemies, it shall be unlawful to break up or open the hatches, chests, casks, bales, or other vessels found on board such ship, or to remove even the smallest parcel of the goods, whether the said ship belongs to the subjects of the King of Great Britain, or of the most Christian King, unless the lading be brought on shore, in the presence of the officers of the court of admiralty, and an inventory made by them of the said goods: nor shall it be lawful to sell, exchange, or alienate the same in any manner, unless after due and lawful process shall have been had against such prohibited goods, and the judges of the Admiralty respectively shall, by sentence pronounced, have confiscated the same, saving always as well the ship itself, as the other goods found therein, which by this treaty are to be accounted free; neither may they be  
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detained on pretence of their being mixed with prohibited goods, much less shall they be confiscated as lawful prize: and if when only part of the cargo shall consist of contraband goods, the master of the ship shall agree, consent, and offer to deliver them to the captor who has discovered them, in such case, the captor, having received those goods as lawful prize, shall forthwith release the ship, and not hinder her, by any means, from prosecuting her voyage to the place of her destination.

XXIX. On the contrary, it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party, on any ship belonging to the enemies of the other, although it be not contraband goods, shall be confiscated in the same manner as if it belonged to the enemy himself; except those goods and merchandizes which were put on board such ship before the declaration of war, or the general order for reprisals, or even after such declaration, if it were done within the times following; that is to say, if they were put on board such ship in any port or place, within the space of two months after such declaration, or order for reprisals, between Archangel, St. Petersburg, and the Scilly islands, and between the said islands and the city of Gibraltar; of ten weeks in the Mediterranean sea; and of eight months in any other country or place in the world: so that the goods of the subjects of either Prince, whether they be contraband, or otherwise, which, as aforesaid, were put on board any ship belonging to an enemy before the war, or after the declaration of the same, within the time and limits above-mentioned, shall no ways be liable to confiscation, but shall well and truly be restored, without delay, to the proprietors demanding the same; provided nevertheless that, if the said merchandizes be contraband, it shall not be any ways lawful to carry them afterwards to the ports belonging to the enemy.



XXX. And, that more abundant care may be taken for the security of the respective subjects of their most Serene Majesties, to prevent their suffering any injury by the men of war or privateers of either party, all the commanders of the ships of the King of Great Britain, and of the most Christian King, and all their subjects, shall be forbid doing any damage to those of the other party, or committing any outrage against them; and if they act to the contrary they shall be punished, and shall moreover be bound, in their persons and estates, to make satisfaction and reparation for all damages, and the interest thereof, of what nature soever.

XXXI. For this cause, all commanders of privateers, before they receive their patents or special commissions, shall hereafter be obliged to give, before a competent judge, sufficient security by good bail, who are responsible men, and have no interest in the said ship, each of whom shall be bound in the whole for the sum of thirty-six thousand *livres Tournois*, or fifteen hundred pounds sterling; or, if such ship be provided with above one hundred and fifty seamen or soldiers, for the sum of seventy-two thousand *livres Tournois*, or three thousand pounds sterling, that they will make entire satisfaction for all damages and injuries whatsoever, which they, or their officers, or others in their service, may commit during their cruize, contrary to the tenor of this present treaty, or the edicts made in consequence thereof by their most Serene Majesties, under penalty likewise of having their patents and special commissions revoked and annulled.

XXXII. Their said Majesties being willing mutually to treat in their dominions the subjects of each other as favourably as if they were their own subjects, will give such orders as shall be necessary and effectual, that the judgments and decrees, concerning prizes in the court of admiralty, be given conformably to the

the rules of justice and equity, and to the stipulations of this treaty, by judges who are above all suspicion, and who have no manner of interest in the cause in dispute.

XXXIII. And when the quality of the ship, goods, and master, shall sufficiently appear, from such passports and certificates, it shall not be lawful for the commanders of men of war to exact any further proof, under any pretext whatsoever. But if any merchant ship shall not be provided with such passports or certificates, then it may be examined by a proper judge, but in such manner as, if it shall be found, from other proofs and documents, that it truly belongs to the subjects of one of the Sovereigns, and does not contain any contraband goods, designed to be carried to the enemy of the other, it shall not be liable to confiscation, but shall be released, together with its cargo, in order to proceed on its voyage.

If the master of the ship named in the passports should happen to die, or be removed by any other cause, and another put in his place, the ships and goods laden thereon shall nevertheless be equally secure, and the passports shall remain in full force.

XXXIV. It is further provided and agreed, that the ships of either of the two nations, retaken by the privateers of the other, shall be restored to the former owner, if they have not been in the power of the enemy for the space of four and twenty hours, subject to the payment, by the said owner, of one third of the value of the ship retaken, and of its cargo, guns, and apparel; which third part shall be amicably adjusted by the parties concerned; but if not, and in case they should disagree, they shall make application to the officers of the admiralty of the place where the privateer which retook the captured vessel shall have carried her.

If the ship retaken has been in the power of the enemy above four and twenty hours, she shall wholly belong to the privateer which retook her,

In case of a ship being retaken by any man of war belonging to his Britannic Majesty, or to his most Christian Majesty, it shall be restored to the former owner, on payment of the thirtieth part of the value of such ship, and of its cargo, guns, and apparel, if it was retaken within the four and twenty hours; and the tenth part, if it was retaken after the four and twenty hours; which sums shall be distributed, as a reward, amongst the crews of the ships which shall have retaken such prize. The valuation of the thirtieth and tenth parts above-mentioned shall be settled conformably to the regulations in the beginning of this article.

XXXV. Whensoever the Ambassadors of either of their said Majesties, or other their Ministers having a public character, and residing at the court of the other Prince, shall complain of the injustice of the sentences which have been given, their Majesties shall respectively cause the same to be revised and re-examined in their councils, unless their councils should already have decided thereupon, that it may appear, with certainty, whether the directions and provisions prescribed in this treaty have been followed and observed. Their Majesties shall likewise take care that this matter be effectually provided for, and that justice be done to every complainant within the space of three months. However, before or after judgment given, and pending the revision thereof, it shall not be lawful to sell the goods in dispute, or to unlade them, unless with the consent of the persons concerned, for preventing any kind of loss; and laws shall be enacted on both sides for the execution of the present article.

XXXVI. If any differences shall arise respecting the legality of prizes, so that a judicial decision should become necessary, the judge shall direct the effects to be unladen, an inventory and appraisement to be made thereof, and security to be required respectively from the captor for paying the costs, in case the ship should  
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not be declared lawful prize; and from the claimant for paying the value of the prize, in case it should be declared lawful; which securities being given by both parties, the prize shall be delivered up to the claimant. But if the claimant should refuse to give sufficient security, the judge shall direct the prize to be delivered to the captor, after having received from him good and sufficient security for paying the full value of the said prize, in case it should be adjudged illegal. Nor shall the execution of the sentence of the judge be suspended by reason of any appeal, when the party against whom such appeal shall be brought, whether claimant or captor, shall have given sufficient security for restoring the ship or effects, or the value of such ship or effects, to the appellant, in case judgment should be given in his favour.

XXXVII. In case any ships of war or merchantmen, forced by storms or other accidents, be driven on rocks or shelves, on the coasts of either of the high contracting parties, and should there be dashed to pieces and shipwrecked; all such parts of the said ships, or of the furniture or apparel thereof, as also of the goods and merchandizes, as shall be saved, or the produce thereof, shall be faithfully restored, upon the same being claimed by the proprietors, or their factors, duly authorized, paying only the expences incurred in the preservation thereof, according to the rate of salvage settled on both sides; saving at the same time the rights and customs of each nation, the abolition or modification of which shall however be treated upon, in the cases where they shall be contrary to the stipulations of the present article; and their Majesties will mutually interpose their authority, that such of their subjects, as shall be so inhuman as to take advantage of any such misfortune, may be severely punished.

XXXVIII. It shall be free for the subjects of each party to employ such advocates, attornies, notaries,  
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solicitors,

solicitors, and factors, as they shall think fit; to which end, the said advocates, and others above-mentioned, shall be appointed by the ordinary judges, if it be needful, and the judges be thereunto required.

XXXIX. And, for the greater security and liberty of commerce and navigation, it is further agreed, that both the King of Great Britain, and the most Christian King, shall not only refuse to receive any pirates or sea-rovers whatsoever into any of their havens, ports, cities, or towns, or permit any of their subjects, citizens, or inhabitants, on either part, to receive or protect them in their ports, to harbour them in their houses, or to assist them in any manner whatsoever; but further, they shall cause all such pirates and sea-rovers, and all persons who shall receive, conceal, or assist them, to be brought to condign punishment, for a terror and example to others. And all their ships, with the goods or merchandizes taken by them, and brought into the ports of either kingdom, shall be seized, as far as they can be discovered, and shall be restored to the owners, or their factors duly authorized or deputed by them in writing, proper evidence being first given in the court of admiralty, for proving the property, even in case such effects should have passed into other hands by sale, if it be proved that the buyers knew, or might have known, that they had been piratically taken. And generally all ships and merchandizes, of what nature soever, which may be taken on the high seas, shall be brought into some port of either kingdom, and delivered into the custody of the officers of that port, that they may be restored entire to the true proprietor, as soon as due and sufficient proof shall have been made concerning the property thereof.

XL. It shall be lawful, as well for the ships of war of their Majesties, as for privateers belonging to their subjects, to carry whithersoever they please the ships and goods taken from their enemies, without being obliged

obliged to pay any fee to the officers of the admiralty, or to any judges whatever; nor shall the said prizes, when they arrive at and enter the ports of their said Majesties, be detained or seized; neither shall the searchers, or other officers of those places, visit or take cognizance of the validity of such prizes; but they shall be at liberty to hoist sail at any time, to depart, and to carry their prizes to the place mentioned in the commissions or patents, which the commanders of such ships of war shall be obliged to shew: on the contrary, no shelter or refuge shall be given in their ports to such as have made a prize upon the subjects of either of their Majesties; but if forced by stress of weather, or the dangers of the sea, to enter therein, particular care shall be taken to hasten their departure, and to cause them to retire from thence as soon as possible, as far as it is not repugnant to former treaties made in this respect with other Sovereigns or States.

XLI. Neither of their said Majesties shall permit the ships or goods belonging to the subjects of the other to be taken within cannon-shot of the coast, or in the ports or rivers of their dominions, by ships of war, or others having commission from any prince, republic or city whatsoever: but in case it should so happen, both parties shall employ their united force to obtain reparation of the damage thereby occasioned.

XLII. But if it shall appear that the captor made use of any kind of torture upon the master of the ship, the crew, or others who shall be on board any ship belonging to the subjects of the other party, in such case, not only the ship itself, together with the persons, merchandizes, and goods whatsoever, shall be forthwith released, without any delay, and set entirely free, but also such as shall be convicted of so enormous a crime, together with their accomplices, shall suffer the most severe punishment suitable to their offences.

XXX. And, that more abundant care may be taken for the security of the respective subjects of their most Serene Majesties, to prevent their suffering any injury by the men of war or privateers of either party, all the commanders of the ships of the King of Great Britain, and of the most Christian King, and all their subjects, shall be forbid doing any damage to those of the other party, or committing any outrage against them; and if they act to the contrary they shall be punished, and shall moreover be bound, in their persons and estates, to make satisfaction and reparation for all damages, and the interest thereof, of what nature soever.

XXXI. For this cause, all commanders of privateers, before they receive their patents or special commissions, shall hereafter be obliged to give, before a competent judge, sufficient security by good bail, who are responsible men, and have no interest in the said ship, each of whom shall be bound in the whole for the sum of thirty-six thousand *livres Tournois*, or fifteen hundred pounds sterling; or, if such ship be provided with above one hundred and fifty seamen or soldiers, for the sum of seventy-two thousand *livres Tournois*, or three thousand pounds sterling, that they will make entire satisfaction for all damages and injuries whatsoever, which they, or their officers, or others in their service, may commit during their cruize, contrary to the tenor of this present treaty, or the edicts made in consequence thereof by their most Serene Majesties, under penalty likewise of having their patents and special commissions revoked and annulled.

XXXII. Their said Majesties being willing mutually to treat in their dominions the subjects of each other as favourably as if they were their own subjects, will give such orders as shall be necessary and effectual, that the judgments and decrees, concerning prizes in the court of admiralty, be given conformably to the

the rules of justice and equity, and to the stipulations of this treaty, by judges who are above all suspicion, and who have no manner of interest in the cause in dispute.

XXXIII. And when the quality of the ship, goods, and master, shall sufficiently appear, from such passports and certificates, it shall not be lawful for the commanders of men of war to exact any further proof, under any pretext whatsoever. But if any merchant ship shall not be provided with such passports or certificates, then it may be examined by a proper judge, but in such manner as, if it shall be found, from other proofs and documents, that it truly belongs to the subjects of one of the Sovereigns, and does not contain any contraband goods, designed to be carried to the enemy of the other, it shall not be liable to confiscation, but shall be released, together with its cargo, in order to proceed on its voyage.

If the master of the ship named in the passports should happen to die, or be removed by any other cause, and another put in his place, the ships and goods laden thereon shall nevertheless be equally secure, and the passports shall remain in full force.

XXXIV. It is further provided and agreed, that the ships of either of the two nations, retaken by the privateers of the other, shall be restored to the former owner, if they have not been in the power of the enemy for the space of four and twenty hours, subject to the payment, by the said owner, of one third of the value of the ship retaken, and of its cargo, guns, and apparel; which third part shall be amicably adjusted by the parties concerned; but if not, and in case they should disagree, they shall make application to the officers of the admiralty of the place where the privateer which retook the captured vessel shall have carried her.

If the ship retaken has been in the power of the enemy above four and twenty hours, she shall wholly belong to the privateer which retook her,

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to *N.* laden with *N.* the said ship having been examined before her departure, in the usual manner, by the officers of the place appointed for that purpose. And the said *N.* or such other person as shall happen to succeed him, shall produce this licence in every port or haven which he may enter with his ship, to the officers of the place, and shall give a true account to them of what shall have passed or happened during his voyage; and he shall carry the colours, arms, and ensigns of *N.* during his voyage.

In witness whereof, we have signed these presents, and set the seal of our arms thereto, and caused the same to be countersigned by *N.* at  
 day of \_\_\_\_\_ in the year, &c. &c.

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[The following CONVENTION of January 1787 is printed from the copy which was published by authority in 1787.]

*The Convention between his Britannic Majesty and the Most Christian King. Signed at Versailles, the 15th of January, 1787.*

THE King of Great Britain, and the most Christian King, being willing, in conformity to the 6th and 43d articles of the treaty of navigation and commerce, signed at Versailles the 26th of September, 1786, to explain and settle certain points which had been reserved, their Britannic and most Christian Majesties, always disposed more particularly to confirm the good understanding in which they are happily united, have named, for that purpose, their respective Plenipotentiaries, to wit, on the part of his Britannic Majesty, William Eden, Esq; Privy Counsellor in Great Britain and Ireland, Member of the British Parliament, and his Envoy Extraordinary and Minister Plenipotentiary to his most Christian Majesty; and on the part of his most Christian Majesty, the Count de Vergennes, Minister and Secretary of  
 State

State for the department of Foreign Affairs, and Chief of the Royal Council of Finances; who, after having communicated to each other their respective full powers, have agreed upon the following articles.

I. Their Majesties having stipulated, in the 6th article of the said treaty, "That the duties on hardware, cutlery, cabinet ware, and turnery, and on all works, both heavy and light, of iron, steel, copper, and brass, shall be classed; and that the highest duty shall not exceed ten per cent. ad valorem," it is agreed, that cabinet ware and turnery, and every thing that is included under those denominations, as also musical instruments, shall pay ten per cent. ad valorem.

All articles made of iron or steel, pure or mixed, or worked or mounted with other substances, not exceeding in value sixty *livres Tournois*, or fifty shillings per quintal, shall pay only five per cent. ad valorem; and all other wares, as buttons, buckles, knives, scissars, and all the different articles included under the description of hardware and cutlery, as also all other works of iron, steel, copper, and brass, pure or mixed, or worked or mounted with other substances, shall pay ten per cent. ad valorem.

If either of the two Sovereigns should think proper to admit the said articles, or only some of them, from any other nation, by reason of their utility, at a lower duty, the subjects of the other Sovereign shall be allowed to participate in such diminution, in order that no foreign nation may enjoy in this respect any preference to their disadvantage.

The works of iron, steel, copper, and brass above-mentioned, are not to be understood to extend to bar iron or pig iron, or in general to any kind of iron, steel, copper, or brass, in the state of the raw material.

II. Their Majesties having also stipulated in the 6th article, "That, for the better securing the due

“ collection of the duties payable ad valorem, which  
“ are specified in the tariff, they will concert with  
“ each other the form of the declarations to be made,  
“ and the proper means of preventing fraud with re-  
“ spect to the real value of the goods and merchan-  
“ dizes,” it is agreed that each declaration shall be  
given in writing, signed by the merchant, owner, or  
factor, who answers for the merchandizes at their en-  
try; which declaration shall contain an exact list of  
the said merchandizes, and of their packages, of the  
marks, numbers, and cyphers, and of the contents  
of each bale or case, and shall certify that they are  
of the growth, produce, or manufacture of the king-  
dom from whence they are imported, and shall also  
express the true and real value of the said merchan-  
dizes, in order that the duties may be paid in conse-  
quence thereof. That the officers of the custom-house  
where the declaration may be made, shall be at li-  
berty to make such examination as they shall think  
proper of the said merchandizes, upon their being  
landed, not only for the purpose of verifying the facts  
alleged in the said declaration, that the merchandizes  
are of the produce of the country therein mentioned,  
and that the statement of their value and quantity is  
exact, but also for that of preventing the clandestine  
introduction of other merchandizes in the same bales  
or cases: Provided, nevertheless, that such examina-  
tions shall be made with every possible attention to the  
convenience of the traders, and to the preservation of  
the said merchandizes.

In case the officers of the customs should not be sa-  
tisfied with the valuation made of the merchandizes  
in the said declaration, they shall be at liberty, with  
the consent of the principal officer of the customs at  
the port, or of such other officer as shall be appointed  
for that purpose, to take the said merchandizes ac-  
cording to the valuation made by the declaration, al-  
lowing to the merchant or owner an overplus of ten  
per cent. and refunding to him the duties he may  
have

have paid for the said merchandizes. In which case, the whole amount shall be paid without delay, by the custom-house of the port; if the value of the effects in question shall not exceed four hundred and eighty *livres Tournois*; or twenty pounds sterling; and within fifteen days; at latest; if their value shall exceed that sum.

And if doubts should happen to arise, either respecting the value of the said merchandizes, or the country of which they are the produce, the officers of the customs at the port shall come to a determination thereupon, with all possible dispatch, and no greater space of time shall be employed for that purpose, in any case, than eight days, in the ports where the officers who have the principal direction of the customs reside, and fifteen days in any other port whatsoever.

It is supposed and understood, that the merchandizes admitted by the present treaty shall be respectively of the growth, produce, or manufacture of the dominions of the two Sovereigns in Europe.

To oblige the traders to be accurate in the declarations required by the present article, as also to prevent any doubt that might arise on that part of the tenth article of the said treaty, which provides, that if any of the effects are omitted in the declaration delivered by the master of the ship, they shall not be liable to confiscation, unless there be a manifest appearance of fraud; it is understood that, in such case, the said effects shall be confiscated, unless satisfactory proof be given to the officers of the customs that there was not any intention of fraud.

III. In order to prevent the introduction of callicoes, manufactured in the East Indies, or in other countries, as if they had been manufactured in the respective dominions of the two Sovereigns in Europe, it is agreed, that the callicoes manufactured in the said dominions for exportation from one country to the other respectively, shall have at the two ends of each piece a particular mark, woven in the piece, to

be settled in concert by the two governments, of which mark the respective governments shall give nine months previous notice to the manufacturers; and the said mark shall be altered from time to time, as the case may require. It is further agreed, that until the said precaution can be put in execution, the said calicoes mutually exported, shall be accompanied by a certificate of the officers of the customs, or of such other officer as shall be appointed for that purpose, declaring that they were fabricated in the country from whence they were exported, and also that they are furnished with the marks already prescribed in the respective countries, to distinguish such calicoes from those which come from other countries.

IV. In settling the duties upon cambricks and lawns, it is understood that the breadth should not exceed, for the cambricks, seven-eighths of a yard, English measure (about three quarters of an ell of France) and for the lawns, one yard and a quarter, English measure (one ell of France) and if any shall hereafter be made of a greater breadth than what is above-mentioned, they shall pay a duty of ten per cent. ad valorem.

V. It is also agreed, that the stipulations in the 18th article of the treaty shall not be construed to derogate from the privileges, regulations, and usages already established in the cities or ports of the respective dominions of the two Sovereigns: and further, that the 25th article of the said treaty shall be construed to relate only to ships suspected of carrying, in time of war, to the enemies of either of the high contracting parties, any prohibited articles, denominated contraband; and the said article is not to hinder the examinations of the officers of the customs, for the purpose of preventing illicit trade in the respective dominions.

VI. Their Majesties having stipulated, by the 43d article of the said treaty, that the nature and extent of

the functions of the consuls should be determined, “ and that a convention relative to this point should “ be concluded immediately after the signature of the “ present treaty, of which it should be deemed to “ constitute a part,” it is agreed that the said ulterior convention shall be settled within the space of two months, and that, in the mean time, the consuls general, consuls, and vice consuls, shall conform to the usages which are now observed, relative to the consulship, in the respective dominions of the two Sovereigns; and that they shall enjoy all the privileges, rights, and immunities belonging to their office, and which are allowed to the consuls general, consuls, and vice consuls of the most favoured nation.

VII. It shall be lawful for the subjects of his Britannic Majesty to prosecute their debtors in France, for the recovery of debts contracted in the dominions of his said Majesty, or elsewhere, in Europe, and there to bring actions against them, in conformity to the practice of law in use in the kingdom: provided that there shall be the like usage, in favour of French subjects, in the European dominions of his Britannic Majesty.

VIII. The articles of the present convention shall be ratified and confirmed by his Britannic Majesty, and by his most Christian Majesty, in one month, or sooner, if it can be done, after the exchange of signatures between the Plenipotentiaries.

In witness whereof, we the Ministers Plenipotentiary have signed the present convention, and have caused the seals of our arms to be set thereto.

Done at Versailles, the fifteenth of January, one thousand seven hundred and eighty-seven.

*Wm. Eden.* (L. S.) *Gravier de Vergennes.* (L. S.)

[The following CONVENTION, of August 1787, is printed from the copy, which was published by authority, in 1787.]

*The Convention between his Britannic Majesty and the Most Christian King. Signed at Versailles, the 31st of August, 1787.*

DIFFICULTIES having arisen in the East Indies, relative to the meaning and extent of the thirteenth article of the treaty of peace, signed at Versailles the third of September, one thousand seven hundred and eighty-three, his Britannic Majesty and his most Christian Majesty, with a view to remove every cause of dispute between their respective subjects in that part of the world, have thought proper to make a particular convention, which may serve as an explanation of the thirteenth article above-mentioned: in this view, their said Majesties have named for their respective Plenipotentiaries, to wit, on the part of his Britannic Majesty, William Eden, Esq; Privy Counsellor in Great Britain and Ireland, Member of the British Parliament, and his Envoy Extraordinary and Minister Plenipotentiary to his most Christian Majesty; and on the part of his most Christian Majesty, the Sieur Armand Marc, Count de Montmorin de St. Herem, Marshal of his Camps and Forces, Counsellor in all his Councils, Knight of his Orders, and of the Golden Fleece, Minister and Secretary of State, and of his Commands and Finances, having the department of foreign affairs; who, after having communicated to each other their respective full powers, have agreed upon the following articles.

I. His Britannic Majesty again engages "to take such measures as shall be in his power for securing to the subjects of France a safe, free, and independent trade, such as was carried on by the French East India Company," and as is explained in the following articles, "whether they exercise it individually, or as a company," as well in the Nabobship of Arcot, and the countries of Madura and Tanjore, as in the provinces

provinces of Bengal, Bahar, and Orisa, the Northern Circars, and in general in all the British possessions on the coasts of Orisa, Coromandel, and Malabar.

II. In order to prevent all abuses and disputes relative to the importation of salt, it is agreed that the French shall not import annually into Bengal more than two hundred thousand maunds of salt: the said salt shall be delivered at a place of deposit appointed for that purpose by the government of Bengal, and to officers of the said government, at the fixed price of one hundred and twenty rupees for every hundred maunds.

III. There shall be delivered annually for the French commerce, upon the demand of the French agent in Bengal, eighteen thousand maunds of salt-petre, and three hundred chests of opium, at the price established before the late war.

IV. The six ancient factories, namely, Chandernagore, Cossimbuzar, Dacca, Jugdea, Balafore, and Patna, with the territories belonging to the said factories, shall be under the protection of the French flag, and subject to the French jurisdiction.

V. France shall also have possession of the ancient houses of Soopore, Keerpoy, Cannicole, Mohunpore, Serampore, and Chittagong, as well as the dependencies on Soopore, viz. Gautjurat, Allende, Chintzabad, Patorcha, Monopore, and Dolobody; and shall further have the faculty of establishing new houses of commerce; but none of the said houses shall have any jurisdiction, or any exemption from the ordinary justice of the country exercised over British subjects.

VI. His Britannic Majesty engages to take measures to secure to French subjects without the limits of the ancient factories above-mentioned, an exact and impartial administration of justice, in all matters concerning their persons or properties, or the carrying on their trade, in the same manner and as effectually as to his own subjects.



VII. All Europeans, as well as natives, against whom judicial proceedings shall be instituted, within the limits of the ancient factories above-mentioned, for offences committed, or debts contracted, within the said limits, and who shall take refuge out of the same, shall be delivered up to the chiefs of the said factories: and all Europeans, or others whosoever, against whom judicial proceedings shall be instituted, without the said limits, and who shall take refuge within the same, shall be delivered up by the chiefs of the said factories, upon demand being made of them by the government of the country.

VIII. All the subjects of either nation respectively, who shall take refuge within the factories of the other, shall be delivered up on each side, upon demand being made of them.

IX. The factory of Yanam, with its dependencies, having, in pursuance of the said treaty of peace, been delivered up by Mr. William Hamilton, on the part of his Britannic Majesty, to Mr. Peter Paul Martin, on the part of his most Christian Majesty, the restitution thereof is confirmed by the present convention, in the terms of the instrument bearing date the seventh of March, one thousand seven hundred and eighty-five, and signed by Messrs. Hamilton and Martin.

X. The present convention shall be ratified and confirmed in the space of three months, or sooner, if it can be done, after the exchange of signatures between the Plenipotentiaries.

In witness whereof, we, Ministers Plenipotentiary, have signed the present convention, and have caused the seals of our arms to be affixed thereto.

Done at Versailles, the thirty-first of August, one thousand seven hundred and eighty-seven.

*Wm. Eden.* (L. S.)    *Le C<sup>te</sup> de Montmorin.* (L. S.)

## The SUPPLEMENT to the Treaties with FRANCE.

[The following is the FAMILY COMPACT, which is referred to in the Commercial Treaty 1786, between Great Britain and France.]

*The Family Compact of the House of Bourbon; signed at Paris, August 15th, 1761.*

IN the name of the most holy and indivisible Trinity, Father, Son, and Holy Ghost. Amen. The ties of blood, which unite the two monarchs now reigning in France and Spain, and the particular sentiments which have animated each other, of which they have given so many proofs, have engaged their most Christian and Catholic Majesties to form, and conclude between them, a treaty of friendship and union, under the title of The Family Compact; the principal object of which is to render permanent and indivisible, as well for their said Majesties, as for their descendants and successors, those duties which are the natural consequences of consanguinity and friendship. The intention of their most Christian and Catholic Majesties, in contracting the engagements formed by this treaty, is to perpetuate in their posterity the sentiments of Lewis XIV. of glorious memory, their common and august great grandfather; and to preserve for ever a solemn monument of their reciprocal interest, which ought to be the foundation of the views of their courts, and of the prosperity of their royal families.

With this view, and to attain so agreeable and salutary an end, their most Christian and Catholic Majesties have given their full powers, *i. e.* his most Christian Majesty, to the Duke de Choiseul, a Peer of France, Knight of his Orders, and Lieutenant General of his Majesty's armies, Governor of Touraine, High Steward and Superintendant General, and Secretary

cretary of State in the department of War and Foreign Affairs; and his Catholic Majesty, to the Marquis of Grimaldi, Gentleman of his Bed-chamber, and his Ambassador Extraordinary to his most Christian Majesty; who, being informed of the dispositions of their respective Sovereigns, and after having communicated their credentials to each other, have agreed to the following articles:

I. Their most Christian and Catholic Majesties declare, that in consequence of their intimate ties of consanguinity and friendship, and the union they contract by the present treaty, the two Crowns will hereafter consider every Power as their common enemy who shall become such to either of them.

II. The two contracting Kings reciprocally guaranty, in the most absolute and authentic manner, all the estates, lands, islands, and places which they possess in any part of the world whatever, without any reserve or exception; and the possessions, the object of their guaranty, shall be fixed according to the actual state in which they shall be found, as soon as either of the two Crowns shall be at peace with all other Powers.

III. Their most Christian and Catholic Majesties grant the same absolute and authentic guaranty to the King of the Two Sicilies, and to the Infant Don Philip, Duke of Parma, for all the estates, territories, and places which they possess; provided that his Sicilian Majesty, and the said Infant Duke of Parma, also guaranty, on their part, all the estates and possessions of their most Christian and Catholic Majesties.

IV. Though the inviolable and mutual guaranty, to which their most Christian and Catholic Majesties bind themselves, ought to be supported with all their power, and though their Majesties thus understand it, according to the fundamental principles of this treaty, that *whoever attacks one crown, attacks the other*, yet the two contracting parties have thought it proper to ascertain

ascertain the first succours, which the Power requested shall be obliged to furnish to the Power requesting.

V. The two Kings have agreed, that the crown requested to furnish succours shall, within three months after such requisition, have twelve ships of the line, and six armed frigates, in one or more of its ports, at the entire disposition of the requesting court.

VI. The Power requested shall have ready, within the space of three months, at the disposition of the Power requesting, 18,000 foot, and 6,000 horse, if France shall be the Power requested; and if Spain be the Power requested, 10,000 foot, and 2,000 horse. In this difference of number, attention must be paid to the greater number of forces actually kept on foot in France than in Spain; but if it should at any time so happen, that the number of forces kept on foot by them shall be equal, then the obligation shall also be equal to furnish reciprocally the same number. The Power requested engages to assemble the stipulated succours, and to place them in such situations (without immediate marching them out of the kingdom) as the party requesting shall appoint, in order that they may be the more readily employed in the services for which the said troops were demanded; and when, to gain such place of destination, a passage by sea, or marches by land, may be necessary, the expences thereof shall be borne by the Power requested, to whom the said succours properly belong.

VII. As to what regards the difference in the said number of troops to be furnished, his Catholic Majesty excepts the case wherein they may be found necessary to defend the possessions of the King of the Two Sicilies, his son, or those of the Infant Duke of Parma, his brother; so that freely acknowledging the preference, which the ties of blood and kindred impose on him, then the Catholic King, in those two circumstances, promises to furnish the succours of 18,000 foot and 6,000 horse, and even to employ all his forces, without claiming of his most Christian Majesty any  
more

more than the number of troops above specified, and such other efforts as his tender friendship for the Princes of his own blood may induce him to exert in their favour.

VIII. His most Christian Majesty excepts also, on his part, the wars he may engage in, either as principal or auxiliary, in consequence of the engagements he has contracted by the treaty of Westphalia, and other alliances with the German and other Northern Powers; and, considering that the said wars can in no manner interfere with the crown of Spain, his most Christian Majesty promises not to demand any assistance from his Catholic Majesty, unless some maritime Powers should take part in the said wars, or that the event should be so unfavourable to France, that she should be attacked by land in her own territories; then, in this last case, his Catholic Majesty promises to furnish his most Christian Majesty, without any exception, not only with the said 10,000 foot and 2,000 horse, but even, in case of necessity, with 18,000 foot and 6,000 horse, being the number stipulated to be furnished for the use of the Catholic King, by his most Christian Majesty; his Catholic Majesty engaging, in such case, to pay no regard to the disproportion between the land forces of France and those of Spain.

IX. The requesting Power shall be permitted to send one or more commissaries, chosen from among their own subjects, in order to assure themselves, that the Power requested has collected, within the three months from the time of requisition, in one or more of their ports, twelve ships of the line and six armed frigates, as well as the stipulated number of land forces, ready to march.

X. The said ships, frigates, and troops, shall act agreeably to the will of the Power that shall have occasion for and demand them; and the Power requested shall be allowed to make no more than one  
representation

representation concerning the motives or objects to which the said land and sea forces are destined.

XI. What is above agreed upon shall immediately take place, as often as the requesting Power shall demand succours for any offensive or defensive enterprize, either by land or sea, and it must be understood in such case, that the ships and frigates of the requested Power shall be collected in some port of its dominions, since it shall then be sufficient that the land and sea forces are in readiness in those ports of their kingdoms which shall be appointed by the requesting Power, as most convenient to its intentions.

XII. The demand which one of the two Sovereigns shall make of the other, for the succours stipulated by the present treaty, shall be sufficient to constitute the necessity of one party, and the obligation of the other to furnish the said succours, without being obliged to enter into any explication whatever, nor, under any pretence, to elude the most speedy and perfect execution of this engagement.

XIII. In consequence of the preceding article, no discussion of the offensive or defensive case shall take place, with respect to furnishing the twelve ships, the six frigates, and the land troops, since those forces are to be considered, in all points, *three months after the requisition*, as properly belonging to the Power that shall request them.

XIV. The Power that shall furnish these succours, whether in ships and frigates, or in troops, shall pay them, wherever its ally shall call them to act, as if those forces were directly employed in their own service; and the requesting Power shall be obliged, whether the said ships, frigates, or troops remain a short or long time in their ports, to supply them with every thing necessary, at the same price as if they properly belonged to them, and to allow them the same prerogatives and privileges as their own troops enjoy. It is agreed, that in no case the said ships or troops shall  
be

be at the expence of the Power to whom they are sent, and that they shall be at their disposition during the war in which they shall be employed.

XV. Their most Christian and Catholic Majesties oblige themselves to keep compleat and well armed the ships, frigates, and troops which their Majesties shall reciprocally furnish; so that, as soon as the Power requested shall furnish the succours stipulated by the fifth and sixth articles of the present treaty, such Power shall arm in its ports a number of ships, sufficient immediately to replace such as may be lost by the events of war or the dangers of the sea; the same Power shall be equally prepared to recruit and make the necessary reparations in the land troops it shall furnish.

XVI. The succours stipulated in the preceding articles, according to the time and manner specified, should be considered as an obligation of the ties of blood and friendship, and as an intimate union; which the two contracting Monarchs desire to perpetuate among their descendants; and these stipulated succours shall be the least which the Power requested shall give to the other in case of necessity: but, as the intention of the two Kings is, that a war, beginning by or against one of the two Crowns, ought to interest the other, it is agreed, that when the two Kings shall find themselves engaged in a war against the same enemy or enemies, the obligation of the said stipulated succours shall cease, and instead thereof the two Crowns oblige themselves to make war conjointly, and to employ all their forces therein; and for this purpose, the two high contracting parties will then enter into particular agreements, relative to the circumstances of the war in which they shall find themselves engaged; they will reciprocally join in their efforts and respective advantages, as also in their plans and military and political operations; and, these agreements being made, the two Kings will conjointly execute them with one common and perfect accord.

XVII. Their

XVII. Their most Christian and Catholic Majesties engage and promise, in case they shall find themselves engaged in a war, neither to listen to nor make any propositions of peace, neither to treat nor conclude any thing with their enemy or enemies, but by mutual and common consent and agreement, and reciprocally to communicate every thing that shall come to their knowledge, interesting to the two Crowns, and in particular on the terms of peace; so that in war as in peace, each of the two Crowns shall regard as his own interest that of his ally.

XVIII. In conformity to this principle, and the engagement contracted in consequence thereof, their most Christian and Catholic Majesties have agreed, that when they shall terminate by peace the war they shall have supported in common, they will balance the advantages which one of the two Powers may have received, against the losses of the other; so that, on the conditions of peace, as in the operations of war, the two Monarchs of France and Spain, throughout the extent of their Empire, shall be considered, and will act, as if they formed but one and the same Power.

XIX. The King of the Two Sicilies, having the same ties of blood and friendship, and the same interests, which intimately unite their most Christian and Catholic Majesties, his Catholic Majesty stipulates for the King of the Two Sicilies, his son, and obliges himself to make him ratify, as well for himself, as his descendants for ever, all the articles of the present treaty; and, as to what regards the proportion of succours to be furnished by his Sicilian Majesty, they shall be settled in his act of accession to the said treaty, according to the extent of his power.

XX. Their most Christian, Catholic, and Sicilian Majesties engage, not only to concur in the maintenance and splendor of their kingdoms, in their present state, but also to support, on every occasion whatever, the dignity and rights of their Houses; so that each Prince, who shall have the honour to descend from the



same blood, may be assured at all times of the protection and assistance of three Crowns.

XXI. The present treaty being to be considered, as hath been already announced in the preamble, as a *Family Compact* between all the branches of the august House of Bourbon, no other Power, but those of that House, can be invited or admitted to accede thereto.

XXII. The strict friendship which unites the contracting Monarchs, and the engagements they take by this treaty, determine them also to stipulate, that their dominions and respective subjects shall partake of the advantages, and of the union established between those Sovereigns; and their Majesties promise not to suffer, in any case, nor under any pretence whatever, their said subjects to do or undertake any thing contrary to that perfect correspondence which ought invariably to subsist between the three Crowns.

XXIII. The more effectually to preserve this harmony, and these reciprocal advantages between the subjects of the two Crowns, it is agreed, that the Spaniards shall no longer be considered as *foreigners* in France; and consequently his most Christian Majesty engages to abolish, in their favour, the right of escheatage, so that they may dispose by will, donations, or otherwise, of all their effects, without exception, of what nature soever, which they possess in his kingdom, and which their heirs, subjects of his Catholic Majesty, resident in France or elsewhere, shall have power to receive as their inheritance, even where no will is made, either by themselves, their attornies, or particular order (though they may not have obtained letters of naturalization) and convey them out of his most Christian Majesty's dominions, notwithstanding all the laws, edicts, statutes, customs, or rights to the contrary, which his most Christian Majesty hereby annuls, as far as is necessary. His Catholic Majesty engages, on his part, to grant the same privileges, and in the same manner,

manner, in every part of his dominions in Europe, to all the French subjects of his most Christian Majesty, with respect to the free disposal of the effects they shall possess in any part of the Spanish monarchy; so that the subjects of the two crowns shall be generally treated (in what regards this article) in both dominions, as the proper and natural subjects of the Power in whose territories they reside. Every thing above-said, respecting the abolition of the right of escheatage, and the advantages which the French are to enjoy in the Spanish dominions in Europe, and the Spaniards in France, is granted to the subjects of the King of the Two Sicilies, who shall be comprised under the same condition in this article; and the subjects of their most Christian and Catholic Majesties shall reciprocally enjoy the same exemption and advantages in the dominions of his Sicilian Majesty.

XXIV. The subjects of the high contracting parties shall be treated, with respect to commerce and duties, in each of the two kingdoms in Europe, as the proper subjects of the country in which they live or resort to; so that the Spanish flag shall enjoy in France the same rights and prerogatives as the French flag; and, in like manner, the French flag shall be treated in Spain with the same favour as the Spanish flag. The subjects of the two monarchies, in declaring their merchandizes, shall pay the same duties as shall be paid by the natives. The importation and exportation shall be equally free to them as to the natural subjects; neither shall they pay any other duty than what shall be received from the natural subjects of the Sovereign, nor any goods be liable to confiscation, but such as are prohibited to the natives themselves; and as to what concerns these objects, all interior treaties, conventions, or engagements between the two monarchies, are hereby abolished. And farther, that no other foreign Power shall enjoy in Spain, any more than in France, any privileges more advantageous than those of the two nations; the same rules shall be observed

in both France and Spain, with regard to the flag and subjects of the King of the Two Sicilies; and his Sicilian Majesty shall reciprocally cause to be observed the same, with respect to the flag and subjects of the Crowns of France and Spain.

XXV. If the high contracting parties shall hereafter conclude a treaty of commerce with other Powers, and grant them, or have already granted them, in their ports or dominions, the treatment granted to the most favoured nation, notice shall be given to the said Powers, that the treatment of Spaniards in France, and in the Two Sicilies, of Frenchmen in Spain, and in like manner in the Two Sicilies, and of Neapolitans and Sicilians in France and Spain, upon the same footing, is excepted in that respect, and ought not to be quoted, or serve as an example, their most Christian, Catholic, and Sicilian Majesties being unwilling that any other nation should partake of those privileges which they judged convenient for the reciprocal enjoyment of their respective subjects.

XXVI. The high contracting parties will reciprocally confide in all the alliances which they shall hereafter form, and the negotiations they shall engage in, especially such as shall have any influence on their common interests; and, consequently, their most Christian, Catholic, and Sicilian Majesties will order all their respective ministers, that they endeavour, in the other courts of Europe, to maintain among themselves the most perfect harmony and entire confidence, that every step taken in the name of either of the three Crowns, may tend to their glory and common advantages, and be a constant pledge of the intimacy which their said Majesties would for ever establish among them.

XXVII. The delicate object of precedence in public acts, employments, and ceremonies, is often an obstacle to good harmony and the intimate confidence which ought to be supported between the respective  
Ministers

Ministers of France and Spain, because such contentions, whatever method may be taken to stop them, indispose the mind. These naturally arose when the two Crowns belonged to Princes of two different Houses; but now (and at all times hereafter) and as long as Providence has determined to maintain on the two thrones Sovereigns of the same House, it is not agreeable that there should subsist between them a continual occasion for altercation and discontent; their most Christian and Catholic Majesties have therefore agreed entirely to remove that occasion, in determining, as an invariable rule to their Ministers, invested with the same character in foreign courts, as well as in those of the family (for such now certainly are those of Naples and Parma) that the Ministers of the chief Monarch of the House shall always have the precedence in every act, employment, or ceremony whatever, which precedence shall be regarded as the consequence of the advantage of birth; and that, in all other courts, the Minister (whether of France or Spain) who shall last arrive, or whose residence shall be more recent, shall give place to the Minister of the other Crown, and of the same character, who shall have arrived first, or whose residence shall have been prior, so that henceforth, in that respect, there will be a certain and brotherly alternative, to which no other Power can be subject, nor shall be admitted, seeing that this arrangement, which is equally a consequence of the present *Family Compact*, would cease, if the Princes of the same House no longer filled the thrones of the two monarchies, and that then each Crown would resume its rights or pretensions to precedence. It is agreed also, that if, by accident, the Ministers of the two Crowns should arrive precisely at the same time in any other court than that of the family, the Minister of the Sovereign chief of the House shall take place of the Minister of the Sovereign who is a junior of the same House.

XXVIII. The present treaty, or family compact, shall be ratified, and the ratification exchanged within the space of one month, or sooner if may be, to be reckoned from the day of the signing of the said treaty.

In witness whereof, we, the undersigned Ministers Plenipotentiary for their most Christian and Catholic Majesties, by virtue of full powers, have hereunto fixed our hands and seals.

Given at Paris, August 15, 1761.

(Signed)

*The Duke de Choiseul.*

THE END OF THE FIRST VOLUME.

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